













FATHERS' RECREATION ROOM  
PLEASE DO NOT TAKE TO  
PRIVATE ROOM

# *Jesuit Educational Quarterly*

---

**FREEDOM AND AUTHORITY IN JESUIT EDUCATION**

**GOVERNMENT FINANCING OF EDUCATION**

**STUDENT RIGHTS AND FREEDOMS**

---

**Volume 31, Number 1**

**June 1968**

**(FOR PRIVATE CIRCULATION)**

LC  
493  
.J45  
1968/69

## Our Contributors

FATHER WALTER J. BURGHARDT, S.J., is the Professor of patristic theology at Woodstock College; he is also the Editor of WOODSTOCK PAPERS and of THEOLOGICAL STUDIES. His article is the address given by him at the dinner session of the National Meeting of the Jesuit Educational Association held at the University of San Francisco on April 15.

FATHER LADISLAS M. ORSY, S.J., is a Professor of theology at Fordham University. His paper was presented and discussed at the sessions of the Commission on Colleges and Universities of the JEA at the National Meeting in San Francisco.

FATHER GEORGE C. McCAULEY, S.J., teaches theology at Saint Peter's College. His paper was presented at the discussions of the JEA Commission on Colleges and Universities at San Francisco.

FATHER JEROME A. PETZ, S.J., is the Province Director of Education in the Detroit Province. His paper was read and discussed at one of the meetings of the Commission on Secondary Schools during the JEA National Meeting.

FATHER PATRICK H. RATTERMAN, S.J., Vice President for Student Affairs at Xavier University, follows up the four articles that he has written for the JEQ with a commentary on the much-discussed Joint Statement on the Rights and Freedoms of Students.

FATHER JOHN R. McCALL, S.J., is the Professor of Pastoral Psychology at Weston College and of Experimental Psychology at Boston College. He has recently been appointed Director of Pastoral Ministries in the New England Province. His paper was presented and discussed at the opening session of the JEA meeting in San Francisco.

BOSTON COLLEGE LIBRARY  
CHESTNUT HILL, MASS.

419006

AUG -5 '69



# Jesuit Educational Quarterly

Volume 31, Number 1

June 1968

## CONTENTS

### FREEDOM AND AUTHORITY IN JESUIT EDUCATION

*Walter J. Burghardt, S.J.* . . . . . 3

### STATEMENT ON ACADEMIC FREEDOM AT A UNIVERSITY

*Ladislav M. Orsy, S.J.* . . . . . 12

### EPISCOPACY AND THEOLOGY

*George C. McCauley, S.J.* . . . . . 17

### GOVERNMENT FINANCING OF EDUCATION

*Jerome A. Petz, S.J.* . . . . . 23

### STUDENT RIGHTS AND FREEDOMS

#### *A Commentary on the Joint Statement*

*Patrick H. Ratterman, S.J.* . . . . . 34

### SANTA CLARA AND THE JESUIT EDUCATIONAL APOSTOLATE

*John R. McCall, S.J.* . . . . . 53

THE JESUIT EDUCATIONAL QUARTERLY, published in June, October, January, and March by the Jesuit Educational Association, represents the Jesuit secondary schools, colleges, seminaries, and universities of the United States, and those conducted by American Jesuits in foreign lands.

## EDITORIAL STAFF

### *Editor*

A. WILLIAM CRANDELL, S.J.

### *Managing Editor*

PAUL V. SIEGFRIED, S.J.

## ADVISORY BOARD

An editorial advisory board is composed of the regional directors of education in the several Jesuit provinces:

JAMES L. BURKE, S.J.	<i>New England Province</i>
JAMES C. CARTER, S.J.	<i>New Orleans Province</i>
BERNARD J. DOOLEY, S.J.	<i>Maryland Province</i>
JOSEPH K. DRANE, S.J.	<i>Maryland Province</i>
JAMES E. FITZGERALD, S.J.	<i>New England Province</i>
E. JOSEPH GOUGH, S.J.	<i>Missouri Province</i>
HERMAN J. HAUCK, S.J.	<i>California Province</i>
JOHN W. KELLY, S.J.	<i>New York Province</i>
ADRIAN J. KOCHANSKI, S.J.	<i>Wisconsin Province</i>
JOHN V. MURPHY, S.J.	<i>Oregon Province</i>
JEROME A. PETZ, S.J.	<i>Detroit Province</i>
LORENZO K. REED, S.J.	<i>New York Province</i>
JOHN F. SULLIVAN, S.J.	<i>Chicago Province</i>

## ADDRESS COMMUNICATIONS TO THE EDITOR

1717 Massachusetts Ave., N.W.  
Washington, D.C. 20036

COPYRIGHT, 1968

JESUIT EDUCATIONAL QUARTERLY

# Freedom and Authority in Jesuit Education

WALTER J. BURGHARDT, S.J.

The problem that paralyzed me for four months is quite simple: What can I say to you on freedom and authority that has not been said? I cannot justify my presence if I repeat in different rhetoric the succinct Land O'Lakes Statement on the Nature of the Contemporary Catholic University. I cannot earn my honorarium if I recall in colorful language Bruno Schüller's perceptive remarks on the fallibility of the authentic magisterium. I cannot claim your attention if I rephrase the insightful Orsy-McCauley dialogue on the relationship between the theological fraternity and the episcopal college. Nor do I have enough experiential knowledge of Jesuit education to fashion a concrete program that will keep the local ordinary out of the exempt classroom and the maverick theologian out of the bishop's thinning hair.

I shall do, therefore, what I am more qualified to do as a theologian. I have taken one giant step backward! I have gone behind the concept of a school, behind magisterial incompetence, behind the limits of theological inquiry, behind the gut issues of freedom. And my thesis is this: However you frame concretely the relationship between freedom and authority in Jesuit institutions, a new relation which stresses freedom and revamps authority is splendidly Catholic. It is in line with Vatican II, with the Catholic sense, with the best insights in contemporary theology. I shall suggest this by sketching three exciting theological developments: (1) the shift away from classicism to historical consciousness; (2) the emphasis on understanding in place of certainty; (3) an emerging concept of revelation and faith which stresses (*a*) the now in God's self-disclosure, and (*b*) man's response not so much to propositions as to a Person.

## I

### HISTORICAL CONSCIOUSNESS

At the heart of Vatican II is a new mentality. Fundamental to the Council is the shift away from classicism to historical consciousness. What is classicism, and what is historical conscious-

ness? John Courtney Murray captured the difference with admirable lucidity and phrased it with remarkable brevity:

. . . classicism designates a view of truth which holds objective truth, precisely because it is objective, to exist "already out there now". . . . Therefore, it also exists apart from its possession by anyone. In addition, it exists apart from history, formulated in propositions that are verbally immutable. If there is to be talk of development of doctrine, it can only mean that the truth, remaining itself unchanged in its formulation, may find different applications in the contingent world of historical change. In contrast, historical consciousness, while holding fast to the nature of truth as objective, is concerned with the possession of truth, with man's affirmations of truth, with the understanding contained in these affirmations, with the conditions—both circumstantial and subjective—of understanding and affirmation, and therefore with the historicity of truth and with progress in the grasp and penetration of what is true.<sup>1</sup>

In the case of the Council, historical consciousness means an acceptance of the fact that in no facet of her existence is the Church of Christ a sort of Platonic idea serenely suspended in mid-air, a recognition of the fact that in every phase of her pilgrim life the Church is inescapably involved in the ebb and flow of history. In *every* phase of her pilgrim life: not only in the external forms of her worship, but in her inner grasp on God's revelation; not only in accidentals and at the outer edge of her life, but in essentials and at the inner core of her being. It is a rejection of the Council's most insidious enemy—not Curialism or triumphalism, not traditionalism or conservatism, not Romanism or reactionism, but what Michael Novak in an inspired moment called "nonhistorical orthodoxy." I mean, and he meant, "an orthodoxy suspended, as it were, outside of history, in midair."<sup>2</sup>

What are the characteristics of nonhistorical orthodoxy? Here Novak is incisive. Nonhistorical orthodoxy "tolerates no equals. . . . It pretends to stand, not only as one theology among many, but as . . . the wholly perfect and absolute expression of faith."<sup>3</sup> It insists that "truth is unchanging," without seeming to realize that "in the concrete, men's struggle to understand is not static and unchanging," that in the flesh-and-blood world "men's point of view, experience, conceptions, and language change," that "men's grasp of 'truths' therefore changes, too."<sup>4</sup>

1 John Courtney Murray, "The Declaration on Religious Freedom," in *Concilium* 15 (New York: Paulist Press, 1966) p. 11.

2 Michael Novak, *The Open Church: Vatican II: Act II* (New York: Macmillan, 1964) p. 56.

3 *Ibid.*, p. 66.

4 *Ibid.*, p. 67.

Historical consciousness does not deny truth's objectivity; it simply puts truth in its living context. As John Murray put it in the famous Toledo address in the spring of 1967:

Truth is an affair of history and is affected by all the relativities of history. Truth is an affair of the human subject. Truth, therefore, is an affair of experience. And in the perception of truth the human intelligence has a function that must be conceived as being creative. This is the truth in the philosophical error of idealism. Somehow the mind creates truth in a sense. There is a truth here as there is in all errors.<sup>5</sup>

It is my conviction that the most significant struggle from the opening of Vatican II to its close was the struggle between non-historical orthodoxy and the effort to situate the Church in the totality of her existence at the heart of history. And it is my contention that in large measure the Council moved from the mentality of classicism that has dominated the Church's past to a historical consciousness that will be her irreversible future.

This is not the place to prove my conviction and my contention. The proof pervades the debates and decrees of 1962-1965. Take simply the Declaration on Religious Freedom. The chief architect of the Declaration, John Courtney Murray, has stated that it

is illuminated by historical consciousness: that is, by concern for the truth not simply as a proposition to be repeated but more importantly as a possession to be lived; by concern, therefore, for the subject to whom the truth is addressed; hence, also, by concern for the historical moment in which the truth is proclaimed to the living subject; and, consequently, by concern to seek that progress in the understanding of the truth demanded both by the historical moment and by the subject who must live in it. . . .<sup>6</sup>

That is why the immediate premise of the Declaration is a philosophy of society and state that represents significant progress in the Church's understanding of her own tradition. That is why the Declaration can discard the post-Reformation and nineteenth-century theory of civil tolerance. That is why the Declaration can recognize as valid and good the passage from the sacral society to the secular society, from a society within which the government was somehow the defender of the public faith, to a society temporal and terrestrial in its dynamisms, its processes, its purposes. That is why the Declaration can assert that "the fundamental principle in what concerns the relations between the

<sup>5</sup> Unpublished address to a Toledo, Ohio, audience of priests and ministers, on the conflict between classicism and historical consciousness, illustrated from three areas: the liturgical movement, morality, and obedience-authority; quoted from NC News Service (Domestic), May 5, 1967, p. 8.

<sup>6</sup> *Art. cit.* (n. 1 above) p. 12.



Church and governments and the whole civil order" is simply "the freedom of the Church" (no. 13). That is why the Declaration can incorporate the Church's final farewell to a legal privilege she had bought at the price of her own freedom.

This is the new mentality—new within Catholicism. No other mentality is viable. This is not expediency: we bow reluctantly and temporarily to a more powerful enemy. This is principle: we have a clearer vision of reality, a keener sense of change and development, a more passionate love for truth not floating serenely in space but in the anguished, quicksilver grasp of a human person.

Historical consciousness is the mentality that emerged dominant from the Council. And historical consciousness is the wave of the future. For classicism, as Murray once said, is not Christian; it is Platonic. The pertinence of this development for our present problem is clear enough. Truth—including religious truth—is a far more complex reality than Catholics high and low have generally recognized. And at any given moment, a man's grasp on truth is a subtle, delicate, perilous thing. Yes, even the Church's grasp on truth. The consequences? I suggest three.

1) The search for truth must be a ceaseless, collaborative effort, in the broadest possible context of freedom. (2) Authority should lay a heavy hand on freedom only as a last resort, and in circumstances where authority can bear persuasive and effective witness to the truth. (3) Those who exercise authority should not see themselves primarily as the in-group, the group that *possesses* truth, in distinction from the academic community in *search* of truth. Pope as well as professor is incessantly a seeker, rarely a seer.<sup>7</sup> There is indeed within the magisterium a distinctive charism in regard to truth; but the charism is not a computer, and it does not replace the charism that is yours and mine. However you explain it to keep it Catholic, authority too lives within history, magisterium too is time-conditioned. We all touch truth with fear and trembling. We are all in quest—together.

## II UNDERSTANDING

This leads naturally into my second point: What is it we are in quest of? What is the Jesuit high school, college, and university

---

<sup>7</sup> I am using "seer" in the polysyllabic sense of "one who sees," not in the monosyllabic meaning of "one who foresees."

searching for? Truth, yes; but more specifically. . . .

In the past the emphasis was quite clear: it was a search for *certainty*. It could be seen in dogmatic theology: the stress on proof—from magisterium, from Scripture, from Fathers and theologians, from reason; the stress on “notes”—from “defined” and “close to heresy” to “certain” and “less probable.” It could be discerned in moral theology: the stress on details, on number and species, on confessional distinction between doubt and certainty. It fitted our prevailing mentality: the search for certainty suited the context of classicism.

A vivid example is the latter-day controversy on birth control. The Church’s traditional teaching had this to say for it: it was very clear and very certain. Artificial birth control was always wrong; and what was artificial, against nature, was pellucid—there was no mistaking it.

Regrettably, as Murray phrased it in his Toledo address, “the Church reached for too much certainty too soon, and went too far.” Seminary teaching, systematized in terms of primary and secondary ends of marriage, is no longer tenable, theologically or psychologically. “We are seeing a new systematization. The other was only theology; it wasn’t dogma. It was system, not faith.” More than that:

In the absence of an adequate understanding of marriage, there was an inadequate understanding of the marital act and an inadequate understanding of the total situation of the problem of reproduction, especially in its demographic dimension. Also there was an inadequate understanding of the authority of the Church as exercised in the field of natural morality.<sup>8</sup>

As Murray saw it, the minority report of the papal commission on birth control, in upholding the traditional ban on contraceptives, revealed a classicist mentality. The commission’s majority, on the other hand, was in quest of new understanding in continuity with the past and representative of progress.

Whether you agree with me on the specific issue of birth control is not important. What is important is the new emphasis which the controversy reflects. Within the Catholicism that has sprung up since Vatican II, the center of intellectual and academic concentration is not certainty but *understanding*.

The new emphasis is justified—justified by the explosion of knowledge, by the interdependence of the disciplines, by the in-

---

<sup>8</sup> Toledo address (n. 5 above) p. 7.

adequacy of aprioristic principles, by Catholicism's increasing dependence on "the world" in expressing her vision of Christ. To judge human action, the moralist must understand man; but he can no longer understand man in disregard of man's experience, in isolation from the empiric and behavioral sciences, in segregation from the total Christian community. To speak understandably of God, the theologian must demythologize not only the word of God but the word of man, not only the two Testaments but the chapters of Trent. He often works from philosophies that question the validity of his assumptions, the meaningfulness of his language, the permanence of his dogmas. The result? Certainty is more difficult to come by, but understanding is more likely.

This is not to undercut certainty. It is rather a recognition that certainty has often been sought and bought at too great a price—at the cost of an intelligent faith, a faith that is fearfully alive because it provokes the paradoxical prayer: "I believe, Lord; help my unbelief." Yesterday's Catholic looked for answers; today's Catholic is not even certain he is asking the right questions.

Put another way, the Church of today is more explicitly a pilgrim Church, even in her doctrinal affirmations. As in Vatican II, she does not come to the world with a hatful of answers. She is a struggling Church, trying as never before to understand: to understand herself and the world she wants to serve, to understand the "sin of the world" and the sin in each man, to understand what it means to be born without Christ and to live with Him, to die in Christ and to rise to Him.

What is the pertinence of this development for our present problem? (1) Understanding is not synonymous with affirmation. Most Catholics will affirm the immorality of unnatural birth control. The problem is understanding: What is unnatural? Most Catholics will affirm an inherited sin. The problem is understanding: How make sense of such inheritance?

2) The effort to understand is so profound an adventure, so complex, so agonizing, so lonely, that those who pursue it as a profession must have the confidence of their superiors, not their suspicion. We need no more secret questionnaires from Rome on the state of theology in America—questionnaires whose episcopal response the president of the Catholic Theological Society is still straining to see. We can no longer afford the mental martyrdom of a Murray, the underground transmission of Teilhard's thought,



the stifling of the Congars and de Lubacs.

3) This does not mean that the quest for understanding is inviolable, some sort of absolute value. The freedom-authority tension is not resolved that easily—not within a believing community, not within a religious order. It does mean that authority too is in quest of understanding, that the search for insight is a communal enterprise, not a tense truce between those “up there” who understand and those “down here” who are still looking.

4) I suggest that, wherever possible, the test of the quest be left, in the first instance, to the judgment of a man’s peers. Perhaps not ultimately, but surely in the first instance. The academic community is not a secret society, a club; it is highly critical, especially of itself. The Catholic tragedy is that until recently authority has not made use of the rich critical potential at its fingertips.

### III

#### REVELATION AND FAITH

My third point: the authority-freedom tension cannot ignore an emerging concept of revelation and faith that stresses (a) the now in God’s self-disclosure, and (b) man’s response not so much to propositions as to a Person.

Catholic theologians are more and more dissatisfied with a concept of revelation that closed God’s self-disclosure to His people with the apostolic age. “A God who once spoke but now speaks no more is not only uninteresting but unintelligible.”<sup>9</sup> Such a revelation makes man’s response quite questionable. If I am to say yes to God now, God must somehow speak to me now. The reason why Christianity is ceaselessly contemporary is the thrilling fact that God is disclosing Himself now—to the individual believer and to the whole People of God. God continues to reveal Himself: through the signs of the times, through white technology and black power, through the experiences of husband and wife, on the streets of Memphis and in the vineyards of Delano, in the anonymous Christian and the Jewish community.

Moreover, the object of faith is not primarily propositions but a Person. Not that dogmas can be discarded within a faith that is Catholic, but that even Catholic faith is *more* than the accept-

---

9 Gabriel Moran, “The God of Revelation,” *Commonweal* 85, no. 18 (Feb. 10, 1967) 500.

ance of all the dogmas. As Heinrich Fries has put it:

Faith is an act of decision, a decision for a person, a recognition and acceptance of him, which takes place in freedom, love, openness, and familiarity. . . . It is an act of the person which engages the whole man—understanding, will and heart—and is brought to full realization in the fulfilment of the following specification of faith: "I myself, entirely myself, yield myself to you."<sup>10</sup>

How reconcile this with today's widespread doubt? The solution is not obvious, but respectable theologians are questioning the age-old conviction that the believer, the man of faith, cannot at the same time be a doubter. Our traditional position, Avery Dulles has noted, was too much tied to abstractions, too little attuned to the complexities of human experience as it actually takes place.<sup>11</sup> As there is a Catholic understanding of *simul iustus et iniustus*, so there is a Catholic understanding of *simul fidelis et infidelis*. It has even been suggested that the Church herself is currently passing through something akin to "the dark night of the soul."<sup>12</sup> Nor is this utterly deplorable:

In our own time, there is nothing more suspect than the faith of those who have never known the experience of doubt rising up within them. Those who have wrestled with this specter, and are perhaps still wrestling, can speak with real credibility to men who profess to no belief at all, as did Pascal, Kierkegaard and Newman. Having unmasked the secret unbelief lurking within their own faith, they can better expose even the unavowed belief of the apparent unbeliever.<sup>13</sup>

In a word, it is not at all clear that genuine doubt is incompatible with authentic faith. It may even be the way to new understanding, for the individual and the community.

What may we conclude from this for our present problem? (1) Authority must recognize, perhaps for the first time, that God continues to disclose Himself to individuals and community, that God's will is not totally spelled out in advance, whether in Denzinger or in the Rules of the Society. *Ecclesia docens* and *ecclesia discens* are not mutually exclusive terms; neither are *societas docens* and *societas discens*. The mutually exclusive terms are *Deus docens* and *homo discens*.

2) Faith, as primarily a commitment to a Person, will flower most fruitfully in an atmosphere where individual as well as com-

<sup>10</sup> Heinrich Fries, *Glauben-Wissen: Wege zu einer Lösung des Problems* (Berlin: Morus Verlag, 1960) p. 95.

<sup>11</sup> Cf. Avery Dulles, *The Theology of Faith* (class notes for private circulation; Woodstock, Md.: Woodstock College, revised edition 1968) p. 48.

<sup>12</sup> Cf. Ida Görres, "The Believer's Unbelief," *Cross Currents* 11 (1961) 51-59.

<sup>13</sup> Dulles, *op. cit.*, p. 50.

munity is encouraged to be open to continuing divine disclosure.

3) Since Catholic faith is a community faith, and Jesuit living is a community experience, not every individual enthusiasm or group rumble is the Spirit blowing where He will. Authority may and must act for the protection of the community. But the interposition should normally be by way of direction, only rarely through harsh alternatives.

4) This is especially true of the academic community. Why? Because the academic community is by profession and vocation in quest of understanding. Because here more than elsewhere error is inevitable. Because the academic community is itself a singular force for self-correction. Because the academic community is a unique source of God's continuing self-disclosure.

5) Authority must never see itself as immune from criticism, communal or individual. Not only criticism on the periphery of existence and function, but criticism that touches the Church's and the Society's core. I dare not put bounds to God's revelation of tomorrow. And in our time, authority that will not listen will not be listened to. Understandably so; justifiably so.

## CONCLUSION

Quite obviously, I have not solved any problems. A post-prandial solution of preprandial problems can only be an illusion. All I have tried to do is to put a theological substructure beneath the contemporary thrust towards freedom: freedom within the Church, freedom within the Society, freedom within Jesuit education.

This is not a blanket endorsement of everything free, of every concrete option, from a Society free of constitutions to a Church free of dogmas. It is rather an affirmation, a confident affirmation, that the thrust itself towards freedom is gloriously Catholic, theologically unassailable. This is not merely the movement of the times; this is the breath of the Spirit.

# Statement on Academic Freedom at a University

LADISLAS M. ORSY, S.J.

## 1. *The University is a Human Institution*

A university is a community of scholars, teachers, and students; it is a human institution, an essential part of our culture. Its scope is to advance knowledge and to pass it on from one generation to another. Its life is dynamic. It has to move ahead or it fails to be a university.

The structure, the way of life of a modern university is a result of centuries' long evolution to which the Church has amply contributed; it is also a response to the intellectual and educational needs of our human community today.

Anyone who wants to take part in the life of a university has to accept its human reality and to respect its structure and the way it operates.

## 2. *The Christian Community at the University*

The Christian community is a community with eschatological expectation but at the same time with a mandate and a task to build the earth. It is an essential part of this community's vocation that it should be inserted into every human reality, to be enriched by it and to bring a new dimension to it. This insertion is both a right and a duty. If the right is not claimed and the duty is not fulfilled the community itself would be lacking of a fullness and a completeness.

Therefore, the Christian community and Christian persons have to seek to be present at a university.

This Christian presence within a human institution can be manifold. It can be the presence of a Christian person engaged in the pursuit of secular knowledge and in secular education. It means also the presence of a Christian theologian who is seeking the ultimate meaning of scientific truth in the light of Christian doctrine. It means also the presence of a Christian theologian who is searching for a deeper understanding of man's relation to God and of God's revelation in history.

The presence of Christianity through these persons cannot be a mere co-existence with the university. It has to be a union with



it. This union is established when Christian persons belong to both communities, that of the university and the Church without contradiction, without division or dichotomy of mind and heart.

A Christian university should be defined precisely by the strong and perceptible Christian presence at the university.

### 3. *Catholic Presence at the University*

The expression, Catholic university, means the strong, integrated presence of Catholic persons, scholars, teachers, and students, at the university. Since this *Catholic* presence is not the full representation of all the riches of every *Christian* community and other religion, by necessity it has to bring with it an openness toward other Christian Churches and a desire to work toward the reunion of all Christians. Again, it brings with it an openness toward all manifestations of religious thought in which the seeds of truth can be and are present. It implies also openness towards all human values, especially those which manifest themselves within the life of the university. This Catholic presence should enhance the legitimate freedom of the university and bring a new dimension into its life.

However, to have a university with strong Catholic presence (Catholic university) it is not necessary to have exclusively Christian or Catholic doctrine professed or taught at the university. A Catholic university represents the insertion of the Church into the world and this means insertion into the pluralism of this world. Hence, Catholic university does not mean that everything is Catholic on the campus, but there is a strong dialogue between Church and the world on the campus. It means openness on both sides.

### 4. *Catholic Persons at the University Belong to Two Communities*

The life of the university could be described as a *communion* of ideas and of endeavors in research and education. The life of the Church could be described as a *communion* in God's gifts through the incarnation. Every Catholic person who works at the university has to achieve the delicate balance that is required by his belonging to two distinct communities.

Communion with the university means to accept its basic laws of freedom as it is understood by our society. It means also to accept its method in research, in teaching, and in other develop-

ments. Unless these conditions are fulfilled the Christian presence at the university cannot be an integrated and harmonious one. It would mean a merely physical presence without an intellectual and moral bond. It would remain an alien presence that the university should rightly reject. Communion with the Church means to share the faith of the world-wide Catholic community rooted in history. It means also to share the life of the same community with its complex task that arises from faith, hope and charity and as sometimes expressed also in the terms of rights and duties.

Persons belonging to both university and ecclesial community will do much for finding and explaining the harmony between science and faith since if there are apparent contradictions between the two these need not originate in opposing facts but rather in our limited vision. Few persons are able to embrace the totality of the world of science and the world of faith with one regard. A Catholic scientist will be able to speak about the ultimate meaning of science in terms of his faith. Yet at the same time he will be able to state that the Church has no claim in the field of science except that of respecting the rights of the human mind to explore and to explain his universe. A theologian working at the university can enrich himself and the Church through assimilating the secular meaning of scientific research and discoveries. A professional theologian present at the university will learn to apply the tools of scientific method as far as it is necessary and convenient to his reflections on God's revelation in human history.

##### *5. Catholic Presence at the University and the Ecclesiastical Authority in Doctrine and in Discipline*

The Catholic presence at the university needs to be examined particularly in its relationship to ecclesiastical authority, that is, to the authority of the episcopate. In this relationship two main aspects emerge: the aspect concerning doctrine and the aspect concerning pastoral care of Catholic faculty members and students at the university. In both the accent should be put on the quality of creativity which is essential at the university. Therefore, Catholics have to show this creativity in both doctrine and worship.

In the matter of doctrine the problem is best examined by contrasting the task of the theologian and the charism of the bishop. The task of the theologian is to reflect on the Word of God and to explore its dimension in every direction. The task of the bishop

is to be an official witness of the presence and the identity of the Word of God in the Church. The task of the theologian and the charism of the bishop are not identical, they are rather complementary. The Church needs them both. However, before the ideal state of harmony is reached many difficulties may arise.

The theologian is the explorer of the Word of God. In his endeavor he has to use scientific methods of construing hypotheses and trying to verify them through the available data of revelation. In doing so he is exploring unknown fields. He is attempting to bring clarity where there was previously obscurity, understanding where there was ignorance. In this research he is subject to mistakes. Through mistakes he advances towards corrections and better solutions.

The bishop's charism is fidelity to the living presence of the Word of God in the Church. His main call is not that of an explorer, but that of a shepherd who has to feed and protect the flock. The gift of final authentication (i.e. identification) of the Word of God, however, is given collectively to the whole episcopate or to head of the episcopal college, the Pope. An individual bishop does not have the same gift in its fullness. The voice of several bishops representing better the voice of the College may weigh more heavily but it cannot be of final value either.

It follows that the work and pronouncements of the theologian who is exploring the ways of integrating faith better with science or who is trying to understand the mysteries of revelation with greater clarity cannot be definitively judged by an individual bishop. The bishop's charism simply does not qualify him for definitive judgment. Episcopal conferences composed of a larger number of bishops would be better placed to bring about such judgment but not even they could give a final verdict. The need for exemption from the local bishop's judgment on the work of the theologian is a necessary condition for theological research. The exemption of universities where theologians are at work from local bishops is a theological necessity that has to be translated into practical terms. Otherwise the work of research cannot go on in an atmosphere of freedom and encouragement. Catholics working in universities could perhaps develop their relationship in a more intense way with the episcopal conferences.

In theological research and teaching condemnations would be out of place at a modern university. Yet, in an extreme case the bishops would be fully entitled to state that a given teaching does

not express the belief of the Catholic community. This should be done without condemning the person concerned. It should be done as a matter of clarification.

In matter of discipline, worship is the most important problem. For a Catholic community at the university has its own requirements. The persons who belong to that community are members of the university and at the same time members of the Church. To safeguard their personality it is necessary to create an atmosphere for worship which corresponds to both the intellectual freedom and creativity of the university and at the same time does not break the communion with the broader religious community.

Liturgical freedom that allows variety and creativity under the guidance of qualified persons is an essential postulate for healthy religious life at the university.

#### *6. Creative Reflection on the Life of the Church*

To reflect creatively on the life of the Church is also the specific function of the Catholic community at the university. Such reflection includes a rightly critical examination of the participation of the laity in the life of the Church, of the use of authority by those who received it either by episcopal or priestly consecration or by delegation. It includes also suggestions for the future development of the life of the whole people of God, for various activities in the Church, be they intellectual or practical. To accept this challenge and to carry out this task with responsible balance it is theologically necessary that the Catholic community at the university be exempt from the local ordinary.

#### *7. Legislation*

It would be desirable that within the framework of the revised law of the Church the exemption of the university from the local authority should be recognized and its relationship with the episcopal conferences should be stated. Such legal provision is necessary to establish intellectual and educational centers where there is an atmosphere of freedom favoring creativity in both doctrinal research and practical worship. The Church would greatly benefit from such provisions.



# Episcopacy and Theology

GEORGE C. MCCAULEY, S.J.

The subject of our discussion is the relationship between the episcopacy and theology as the latter is found in the university context. This is a narrower question within the larger question which deals with the total relationship between bishops and Church-related universities. It excludes such matters as liturgy on campus, pastoral care as this reaches into the school, and the financial tensions that sometimes exist between diocese and school. It includes most properly an examination of the roles of bishop and theologian as "teacher".

At the outset it would be well to make one methodological observation which is critical to the whole topic. The theologian approaches this topic first by defining himself and his theological function and then by describing how he views episcopacy. This observation might seem banal at first glance, but it is not. There often hovers behind these discussions on the relationship between episcopacy and theology the idea that somewhere, somehow, an absolute and exact definition of theology or of episcopacy is to be found, either in the hands of bishops alone, or in the hands of the theologian alone. With such an idea present in the discussion we never advance very far, for in a few short steps a methodological impasse is reached. The reason for this impasse is because even a minimal definition of theology makes of the theologian a question-asker in matters of faith. Hence he cannot accept a description of himself given solely by the episcopacy, since he is committed to raise questions about whatever description is given to him. The same is true of any description given by the episcopacy of itself. This too the theologian is committed, by definition, to question and to examine. To avoid this impasse, therefore, the best the theologian can do is to offer that description of himself which most faithfully represents his self-awareness as a theologian, and then to enter into dialogue with the episcopacy. With such a methodology at work in our discussion, and only with such a methodology, can we avoid much useless intellectual or religious muscle-flexing and mutual misunderstanding.

With this methodological observation made, we may now formulate the problem which arises when the expression "teacher" is used of both the theologian and the bishops. Theologian and

bishop survey, from different points of view, the same landscape of the Church's life: the word of God, the sacraments, the Church's mission in the world, her doctrine, her encounter with unbelief. In these matters the theologian is, as it were, a professional question-asker. More than this, his task is to rethink imaginatively and to reformulate the Church's commitment to Christ and to its mission in the world. He must hypothesize new shapes of the faith which will yield understanding and insight for contemporary man. When he does all this the theologian inevitably *looks like* he is saying different things than the bishops, or saying things in a different way. Even when we admit that the Catholic theologian is bound to a certain order in his questioning and reflection (whereby he is expected to treat scripture, magisterial tradition, the history of dogma and of theology, contemporary religious, cultural and scientific experience, etc.), nevertheless the very fact of his questioning and reflection appears to be a challenge to, if not a denial of, the episcopal office of teaching.

The theologian today, moreover, is an inhabitant of the university. His presence at the university is most apt, since the university is the crossroads of contemporary thinking. With its tradition of academic freedom it also provides a suitable setting for the theologian's commitment to questioning and reflection. It enables him to teach the fruits of his professional work and disciplines that work by demanding of him professional competence. In a sense, the theologian in the university is serenely placed where he can pursue theological truth with a minimum of interference and a maximum audience.

But this ideal position has grave limitations attached to it. For one thing, the theologian remains a member of the Christian community as well as a member of the university community. The tension that arises between him and the bishops because of his apparently conflicting role as a teacher will not go away simply because he finds himself in an academically free atmosphere. Indeed, it would be misleading both for the secular university world and for individual bishops to receive the impression that the theologian claims the freedom to raise questions and to hypothesize answers only as a pragmatic concession to his position on the university campus. If we may draw a parallel between the issue of theological freedom and the issue of religious freedom, we can see what folly it would be to rest theological freedom solely on the fact that it is required by the university context of the theologian. For inevitably

the impression is given that the university is the source of the theologian's freedom to question and reflect. But if the source of this freedom is not first and foremost found within the Christian community itself—just as the right to religious freedom was proclaimed as a Christian imperative—then we are reduced to affirming that the Christian faith is, in effect, inimical to the pursuit of understanding, or that, at best, it grudgingly permits freedom of inquiry because universities force it to do so. This latter attitude is extremely perilous. Moreover, it betrays a radical lack of confidence in the Christian community as a source of intensified, rather than depleted, humanism. In this respect, the desire to settle for a justification of theology from its university setting alone is not surprising. For confidence that the Christian community can solve its intramural problems is not a mark of our times. At any rate, it seems that only when the Church, through the bishops, decides that it positively wants theological inquiry in its midst will the presence of theologians at the university be adequately justified.

In point of fact a justification for theology—for a theology as free as any academically free enterprise—does exist in the Christian tradition. It can be seen in various sources of the Church's faith. Thus, in scripture we find the possibility and even the necessity of viewing Christ differently in accordance with the different problems facing the various communities from which the scriptural revelation emerged, and even in accordance with the different personalities of the unbelieving disciples and evangelists. Unity of faith in Christ was not incompatible with a large measure of diversity in the manner of speaking about him. What is important in this observation is not so much that scripture contains diverse images and formulations of the same Christian faith, but rather the fact that a process of reflection and questioning was at work even at the biblical stage of faith. This process produced what is legitimately called today the theology of John, the theology of Luke, of Paul, and so forth. This same process of questioning, of reflection, of creative hypothesis, was, as history shows, the necessary concomitant of all subsequent doctrinal development. It was the basis, too, for the theological accomplishments of the fathers and of the great scholastics, whose creative formulations of the faith were often taken to be denials of sound doctrine only to be vindicated later on. In more recent times, the council has urged theologians to review the faith in terms of the Church's

relationship to other Christians, to other religions, to the secular world. It would be impossible to fulfill this mandate without the kind of freedom of inquiry that theologians claim within the Christian community.

But if the theological enterprise is justifiable in terms of the faith itself, why does it give rise to so many fears that it is arrogating to itself the teaching authority of bishops? The reason is because the theologian's formulations of the faith are not merely the speculations of a theorizer. They become a social force in the communion of the Church. This is especially true today because the theologian is housed in a university which itself feels that, to be academically responsible, it must be effective in the wider political, economic and cultural community that surrounds it. To what extent, then, and by what mechanisms, are theological conclusions legitimately to become effective in the concrete lives of the faithful? What about the teaching bishop? The prospect of theological findings becoming in any way normative for the Church seems foreign to our customary way of thinking and creates a tension with episcopal authority.

As was said earlier, however, the only thing the theologian can do at this point is to describe his own operation and then to expose how he views the episcopal function of teaching in relation to his own. Only with such a presentation at hand can a basis for true dialogue between theology and episcopacy be supplied. We have already seen to some extent how the theologian views his own function. It remains to show how he views the episcopal office, especially in its teaching functions.

The theologian first raises questions concerning episcopal authority. Is Christian authority to be understood in terms of civil authority? Is it like parental authority? Is it to be compared to the authority of a teacher, as this latter authority is exercised in academe? Does Christian authority carry with it special insight and powers of judgment, in such wise that those in authority have a unique ability to determine what is true and good for the whole Church? What is meant by the 'religious assent' that is due even to ordinary teaching of the episcopacy, when it is clear, at least in some cases, that dissent is not only possible but necessary and legitimate? Is this assent anything more than an initial benevolence toward the authorities in question and is not such benevolence also to be shown those not in authority? Does it suffice to define Christian authority in terms of service, love, leadership or charism,



when these terms apply to other categories of Christians as well? What, then, are the dimensions and competence of episcopal authority within the Christian community?

Secondly, the theologian does more than raise questions. His responsibility is, as has been said, to hypothesize alternate forms of understanding Christian doctrine and to suggest suitable means of embodying truth in the life of the Church. If it is true that his suggestions become a force within the Christian community, the theologian must be most careful to explain how his suggestions concerning Christian authority can be, at the same time, creative and continuous with a doctrinal past. He must preserve the authority of the bishops of his own communion by helping them positively to define themselves in the contemporary world.

He does this by emphasizing several functions which, in the light of contemporary theological reflection, would seem to belong to the episcopal office. The first function of episcopal authority is to *insure the unity of faith*. This expression 'unity of faith' does not primarily mean a uniformity conducive to good order. A rich diversity of style and structure within the Christian life is compatible with this unity of faith. Indeed, some such diversity is a sign of authentic unity; where it is missing so is the Spirit absent who manifests himself in a variety of endowments, forms of service, and activities. The degree of variety that is compatible with the unity of faith is, moreover, not something that is predictable; it must be discovered in the life of the Church. Hence it would seem that there must be, within this first function of episcopal authority, an element of *positively encouraging a variety* of new and old forms of the one Christian faith. This would also include *eliciting* the doctrinal and moral insights of all the faithful who reflect on the Christian mystery, especially the insights of those theologians whose profession it is to reflect, in the Church, on the life of the Church.

A second function of episcopal authority seen by theologians today is that of *circulating the insights* of all in the Church. This, in effect, is what bishops do when they teach and proclaim in the Church the word of God spoken in scripture and tradition. But, there is another way of understanding this circulation of truth in the Church through the bishops. Mention was made above of the reflection on the Christian faith which forms such an essential part of the development of doctrine. This reflection is a continuing process in the life of the Church. It should never become

an isolated process. It is precisely the centrality and the moral claim of episcopal authority which enables this continuing reflection to circulate in the Church. Through the episcopal office, what each says in the Church can reach those who meet at the same focal point of the Church's reflection. At this focal point, and, in a sense, at this focal point alone, all the faithful are enabled to meet each other in their full diversity and to work out unity with each other preserving their legitimate diversity. Episcopal authority, then, is a teacher in this additional way, by bringing forth from all the faithful their individual insight into the Christian mystery and by leading the faithful *to consider each other's insight* with openness and respect.

A third function of episcopal authority is *collectively to determine what are the identifiable dimensions of Christian faith in a given age*. This determination is a gradual process. It includes the two former functions of episcopal authority and goes beyond them by offering concrete norms for Christian unity and for Christian action. The episcopacy is not infallible in all these norms. Yet, even its fallible determinations provide guidelines which reasonably direct the faithful to fidelity to Christ's word. It is not contrary to such reasonable direction that the episcopacy makes mistakes. The very framework of culture and of history within which its determinations are made is itself developing. To expect of bishops that they present only those determinations of the living faith which transcend the framework of culture and history is to demonstrate a greater unreasonableness in their regard.

A final function of episcopal authority concerns the church's mission to the world. In the *Constitution on the Church in the Modern World* this mission has been described as a dialogue with the world and, secondly, as a matter of inculcating such a style of worldly freedom as to further the world's own concern for human dignity, social justice and all forms of technological progress. The episcopacy, then, is to be the focus and the leading edge of this mission of the Church, by being the *center of dialogue* and by being the *stimulus for the free development of human culture*.

These four functions of episcopal authority cannot but be welcomed by the theologian, since, if anything, they call him to become more than which he is, a theologian in a communion of Christ's faithful. Thus, he will be better able to bring to the university a boldness of inquiry, an inventiveness, a passion for responsible reflection that hopefully will benefit both the university and the Church.

# Government Financing of Education

JEROME A. PETZ, S.J.

The overall pattern of educational financing in the United States is basically simple. There are tax-supported schools and non-tax-supported ones. Financing non-tax-supported schools has its own difficulties and its own dangers which will not be gone into here.<sup>1</sup> It is much too late in the day to question government intervention in educational financing even if one were minded to do so. What must be shaken is the smug complacency of some and the "what's-the-use" indifference of others towards the obvious naturalness of the present method of financial support for education by government. This I propose to do by pointing out the serious consequences of the present method of financing and the only solution of the difficulties into which the current practice is leading us. I want to conclude by directing attention to the extraordinary opportunity American Jesuits have for advancing social justice by espousing the cause of a new method of financing education.

## 1. *Consequences of the Present Method.*

To a visitor from outer space<sup>2</sup> the methods of collecting and distributing educational funds are confusingly complex. Fifty States, thousands of local school districts and the Federal Government all gather money from the people by a wide variety of taxes. These monies are distributed in turn through a veritable maze of Federal, State and local agencies. What stands out in stark simplicity, however, is the fact that the money is appropriated directly to schools or school systems. The amount of money going to individual students or their parents is infinitesimally small in comparison with the mass of money given directly to institutions.

---

<sup>1</sup> Among non tax-supported schools is the alleged Catholic educational system. In this "system" too there are "tax"-supported and non "tax"-supported institutions. Some schools are supported by the diocese or parish from funds donated by members of the diocese or parish. Other Catholic schools receive no funds from the diocese or parish but operate on tuitions charged for their services to students and parents. The desire of many in this "system" is toward imitation of government schools. According to this centralizing trend the diocese would be a collector and distributor of funds directly to schools. What is said in this discussion about the present method of financing government schools is applicable *mutatis mutandis* to diocesan funding.

<sup>2</sup> This viewpoint is suggested by Alan Pifer, president of the Carnegie Corporation of New York, in a speech to the Association of American Colleges at Minneapolis in January, 1968. The speech is printed in *The Chronicle of Higher Education*, Vol. II, No. 10, Jan. 29, 1968, pp. 4 and 5.

No matter how the system is camouflaged by alleged checks and balances the money flow is from government to school.

It is high time—it is, in fact, perhaps too late—to reflect seriously on the present and future consequences of the method. Strangely enough the results are strikingly identical with the problems confronting formal education today: governmental, bureaucratic control of institutions, unevenness in the amount of education, stifling sameness in education, lack of citizens' freedom in choosing institutions, the threat of governmental monopoly in education.

Institutions receiving direct grants from government obviously must rely on government for their continued existence. You'd think every redblooded American would tremble at the very concept. Applied in any other area it would be branded as "Socialism." It would portend governmental interference in private concern. Instead it has been variously described as "free," "democratic," "American."<sup>3</sup> Governmental interference as such has not been a concern. Every State has numerous statutes governing elementary and secondary schools. State courts and the United States Supreme Court have adjudicated controversies concerning practices introduced in high schools and grade schools. But this interest of government in education has been benignly regarded. It is not called interference in education. Until recently even State institutions of higher learning were experiencing no interference or were keeping silent about it if it occurred.

The picture is now changing. That government financing means government control is becoming evident. The executive branch in California has given State universities there something to think about.<sup>4</sup> In the latter part of February and early part of March the New York legislature moved in on the State University of New York to question campus disciplinary inaction in regard to student drug-taking.<sup>5</sup> The Michigan legislature just recently set conditions on its appropriations to the University of Michigan, Michigan State and Wayne State Universities.<sup>6</sup> The United States Supreme Court last month upheld a New York statute requiring teachers to take an "affirmative" loyalty oath.<sup>7</sup> Education is begin-

---

<sup>3</sup> The historical and psychological causes of this benign view of government control of education is discussed in R. Freeman Butts, *A Cultural History of Western Education*, McGraw-Hill Book Co., New York, 1955, pp. 443-467.

<sup>4</sup> American Council on Education Bulletin: *Higher Education and National Affairs*, Vol. XVI, No. 3, Jan. 24, 1967, pp. 10 and 11.

<sup>5</sup> *The Chronicle of Higher Education*, Vol. II, No. 13, Mar. 11, 1968, pp. 1 and 5.

<sup>6</sup> *The Chronicle of Higher Education*, Vol. II No. 12, Feb. 26, 1968, p. 3.

<sup>7</sup> *The Chronicle of Higher Education*, Vol. II, No. 10, Jan. 29, 1968, p. 2.



ning to feel that the hand that holds the purse strings can be constrictive indeed.

The second consequence of American governmental financing is a distressing unevenness in the quantity of education. Formal education on all levels, college and university, secondary school and primary grades, is affected by vast differences in amounts of money appropriated in different States. And in any one State differences in the quantity of education between the inner city schools of our large cities and suburban schools supported by an affluent class of education-conscious people is obvious. One of the reasons for the drive for federal funds over the past thirty years of educational history has been the need to improve the quality of education in areas where comparatively little was appropriated to the schools.<sup>8</sup>

The constantly recurring theme in educational journals about the need for innovation indicates recognition of the boring sameness in education. And why should anyone expect anything different? Once installed in the government-controlled establishment every one is going up the same down staircase together. Tenure follows appropriately controlled one-year contracts and yearly increments are assured the tenured whether they sparkle with imaginative creativity or plod on mechanically from day to day. There's no exacting competition so why should any one bother?

And what little competition there has been is being eliminated gradually but, oh, so surely. How does the non-tax-supported institution compete really with a sister institution backed by the apparently unlimited funds of a taxing government and hence capable of subsisting on no tuition, ready with double or triple faculty salaries and offering facilities the independent institution can only dream about. Rumor has it, for whatever it is worth, that Harvard with its reported \$1,038,098,479 endowment is worried because it cannot match the educational outlay of State institutions.

Fourthly, the system of directly financing schools by government enforced taxation violates the freedom of the citizen. We are all aware of the propaganda that proclaims boastfully of American freedom in education. Why, you can go to any school you choose, even to a religious school. And you can—if you pay the price! And the price for those affluent enough to choose non-government schools is double taxation: they pay the price of

---

<sup>8</sup> Butts, *op. cit.*, p. 530.

the educational benefits they should be receiving and then they pay to attend the school of their choice. And the poor? Though subject to all kinds of hidden taxes they must go to a government school if they want their educational benefits. This is a peculiar kind of freedom.

Finally our present system, unless changed radically, must lead to federally financed and, inevitably, federally controlled monopoly of education. Such is not an idle threat. Here is what Alan Pifer, president of the Carnegie Fund, said in an address to the Association of American Colleges in Minneapolis in January:

"We are forced therefore to a very simple conclusion. If this nation's needs for higher education are to be met in the years to come, the federal government will have to accept the principal part of the consequent financial burden.

And, judging from the statements of those representing higher education, this is what they think and want . . ."<sup>9</sup>

Dr. Pifer, though he does not say so, seems to think that by and large secondary and elementary education will be taken care of as it has been in the past and that only higher education will benefit from federal aid. One can easily guess that such will not be the case. The history of governmental financing of schools shows that the educationists have always been most willing to solicit a higher political unit when their grasp for funds has exceeded the ability of the local unit to pay. As States run out of funds or willingness to appropriate, educationists at all levels will turn to the Federal Government. A national system of schools is not far off.

## 2. A New System

Bleak as it may appear the picture is not all bad. The consequences outlined above contain valid and valuable insights which, if carefully analyzed, suggest a new and different system. The insights are reducible to two: formal education must rely on government and the government must be the largest possible political unit in keeping with world conditions.

Those who devised and those who defend the system of government support of formal education are fundamentally right. Society as a whole benefits from education, hence society as a whole should bear the burden of financing it. But only government can

---

<sup>9</sup> Pifer, loc. cit., p. 4.

compel payment. On the other hand those who feel that such method of support forces them to pay for the education of others likewise have a point. The problem, then, is to have society pay for education in such a way that each one pays for the education he has received.

Those who question the propriety of financing education via private funds gratuitously donated by wealthy benefactors to selected institutions have a valid argument. Schools relying on the good-will of the wealthy almost inevitably assume the outlook of their benefactors. Students attending such institutions are gift recipients and feel that education is a privilege rather than a right. If in such schools some pay their way and others are there on scholarship, the latter are subject to all the psychological trauma accompanying one who, while the object of charity, must live and learn with those who are able "to pay their way." Yet those who defend privately-funded education are right in insisting on preserving freedom of choice in regard to schools. The problem here is to maintain schools that are public, that is, where students have a right to be educated, and at the same time guarantee to each citizen freedom of choice in regard to the school he attends.

Right, too, are those who look to the largest political unit available for the support of education. Those, like Alan Pifer, who foresee almost total federal support of education and those educationists advocating such support have an excellent point. Education can only be financed equitably and justly for all citizens by that agency which has the welfare of the whole country—we might say today, the whole world<sup>10</sup>—at heart. As long as individual State and local governments pay for education the quantity of education is bound to remain spotty in different parts of the country and in different areas of the State. Yet those who defend local control are also right. It does seem that the larger the political unit financing education the less sharp competition becomes and the more a deadly sameness in education takes over. Control at the small local level might well create the sought for competition. Moreover the larger the political unit financing education the more likelihood there is that the heavy hand of bureaucracy will weigh down on the academic processes.

---

<sup>10</sup> World shrinkage and peoples' interdependence, noted *ad nauseam* in just about all writings in the behavioral sciences, definitely point to the necessity of a world government. Such a government should also be a world-wide collecting and distributing agency for the education of the world's students on all levels.

Academic freedom is more seriously threatened by the larger political unit. Here, then, the problem is to finance education by the appropriate political unit while at the same time maintaining local control.

The above problems come concretely to this: how can the federal government gather educational funds in such a way as to preserve equity and justice among citizen contributors and distribute such funds so as to preserve local control and citizen freedom of choice?<sup>11</sup> The answer is that funds must be required of every citizen in keeping with his real ability to pay and they must be distributed by means of educational voucher to each student to be used in the school of his choice.

At the outset a basic reversal in attitude in regard to educational taxing must be clarified. The attitude is variously expressed. Just as parents pay for the education of their children, government taxes parents to support the education of children. Or, in a more generalized way, the producing generation is taxed to pay for the generation to be educated. This attitude and the reality underlying it must be changed. Actually each citizen is being taxed, or should be, for the education he has received. The model here is the theory underlying Social Security. Under this social welfare legislation each citizen during his producing years pays into a fund from which he has the right during his years of retirement to receive funds for food, clothing and shelter. Each one pays his own way; no one is paying for someone else. Each has a right to

---

<sup>11</sup> The encouragement of Dr. Pifer to submit to Federal control is in rather ironic contrast with the attitude of educators in 1945. In that year the Educational Policies Commission of the National Education Association and the Problems and Policies Committee of the American Council on Education jointly issued a pamphlet entitled, "Federal-State Relations in Education." The educators "deplored the centralizing trends of the federal government and its tendency to control education. They disapproved of the Civilian Conservation Corps (CCC), National Youth Administration (NYA), and servicemen's Readjustment Act (commonly called the "G.I. Bill of Rights") (!) as permanent agencies of the federal government, but they noted that the Congress had responded to emergency situations when the states did not.

"The principles proposed were that the predominant control of education should remain at state and local levels but that the federal government should continue to exercise, within properly defined limitations, certain educational functions. The federal government should provide financial assistance to the states on the basis of school populations and wealth of the states. It should deal with established state agencies to which it should give the money and should expect in return simply an audit and report on how the money was used. The federal government should also exercise leadership of a stimulating but noncoercive character in the form of investigations, research, conferences, and publications. Federal control of education should be limited to certain special undertakings like the Military and Naval Academies. These views probably represented the majority opinion of American educators." Butts, *op. cit.*, p. 530.

Why do educators deplore government interference on the federal level but find it "free," "democratic," and "American" on the State level? What subtle transformation takes place between federal and State governments? What divine prerogative do State governments have not to be subject to the same or similar urges to control inherent in the federal government and indeed in any power complex.

And how can educators disapprove of a program (the "G. I. Bill of Rights") the principle of which is the very means out of their federal financing-federal control dilemma?



retirement benefits. Educational benefits can and should be conceived in the same way. The only difference is that in the case of educational benefits the benefits are received before the individual becomes a producing citizen whereas in Social Security he receives after he has been a producing citizen.

On the supposition that each citizen receives his educational benefits and is not deprived of them because, for example, he wants to attend a school other than a government school, this system is equitable. By and large the amount of education a person receives bears a relationship to the income he will receive as a producing citizen. Doctors, for example, spend a comparatively greater length of time in formal education and thus receive educational benefits of greater value. But it is commonly thought, and seems to be the fact, that doctors' incomes are perfectly capable of sustaining a higher tax. They pay for their education. On the other hand an individual who has dropped out of school in the early grades will not very likely have a highly taxable income when he is a producing citizen. Thus, the attitude should be that each one is paying for his own education. But the reality must be changed to conform to the attitude. This means a reform of federal educational funding to conform to an insurance plan rather than to a tax. It is obvious that the producing generation is unable to finance the education of the generation being educated. Hence bonding must be used.

The distribution of funds should be by voucher to each student to be used in the school of his choice. The giving of cash is open to obvious abuses. An educational voucher provides appropriate safeguards. It can be used only in an approved school.

The voucher should go to the student or, in the case of immature students, to their parents. This does not mean what some consider a slight modification of the idea. It does not mean that government supports non-government schools on a per capita basis with the money going directly to the schools. The voucher actually goes to the student.

And the student (parent) selects the school of his choice. Choice can, of course, be contained within rational limits. States and local agencies (educational) can establish minimum standards for formal education at various levels. Within these limits the student can attend any school that will take him.

This system, the voucher system, answers the problems outlined above. Education is government supported, indeed, it is



maintained by the federal government. And yet there is local control. What more local control can be had than that of the local citizenry who now have the financial wherewithal to make their desires felt on the schools?

With this system the unfair competition now existing between government supported schools and non-government institutions will be eliminated. The continued existence of schools will no longer depend on direct State subsidies but on the tuition students will pay who want the kind of education given at the school. If they want students, institutions will have to keep themselves on the educational *qui-vive*.

In brief the voucher system is the one way to solve the problems of bureaucratic control, spottiness, dull sameness, lack of citizen freedom and threat of government monopoly in education that threatens us under our present system of governmental financing.

### 3. *An Opportunity for the Society in America.*

Establishment of the voucher system to finance formal education is a necessary step towards that world-renewal so ardently longed for by all. It is the concrete embodiment of one of the desires of Vatican II. It fosters ecumenism. It installs in the area of education a method of distributing money which, if followed in more extensive social welfare legislation, will bring about a reign of social justice.

In their *Declaration on Christian Education* the bishops stated:

"Parents, who have the first and the inalienable duty and right to educate their children, should enjoy true freedom in their choice of schools. Consequently, public authority, which has the obligation to oversee and defend the liberties of citizens, ought to see to it, out of a concern for distributive justice, that public subsidies are allocated in such a way that when selecting schools for their children, parents are genuinely free to follow their conscience."<sup>12</sup>

Cynics may find in that statement just another attempt of the Catholic hierarchy to get government funds for Catholic schools. But the bishops meant what they said. All parents—that means atheistic, communistic, Lutheran, Baptist, Jewish—all parents must be free, and economically free to follow their conscience. Allocation of funds directly to Catholic schools is not a means to that

---

<sup>12</sup> "Declaration on Christian Education," *The Documents of Vatican II*, Walter M. Abbott, S.J., General Editor, Guild Press, New York, 1966, p. 644.

end. Only the voucher system can achieve it.

Ecumenism has become one of the orders of the day. It is the basis for new and strenuous efforts in the field of theology. It is the purpose of frequent and serious meetings, conferences and workshops. It is the hallmark of actions and movements bringing together members of different faiths and creeds. Clearly anyone who espouses and furthers the voucher system is furthering a concrete manifestation of genuine ecumenism. For by means of the voucher system people of every faith and of no faith have the possibility of establishing schools that suit their philosophy of education. And if separation of Church and State is desirable this system is the only way of achieving it in education.

Finally the voucher system promotes in education a method of distributing social welfare benefits which, if extended, can provide a more just social order. Social justice is used in connection with several things. Today it is frequently associated with the gaining of political, social and economic rights for the negro. Contrary to what is sometimes alleged against it, the voucher system will advance the cause of the negro. Intelligent proponents of the voucher system are not white segregationists. They insist that laws against racial segregation in education be established and followed. On the other hand what right does the white power structure have to prevent negroes from having their own schools if they want them? Of course, negroes can't be segregationist either. But if a group of negroes want to conduct a school predominantly for negroes with negro administrators, negro teachers, negro suppliers and negro service people what right do white people have to interfere with such desire as long as other negroes manifest their desire to attend a school of this kind by paying their tax dollar in tuition?

Still, social justice has another meaning. It means constructing a socio-economic system in which every man can have in reality his proper share of the resources of nature and the productivity of man. We do not have such an order today. And the have and the have-nots in education are symbolic of the dislocation in the socio-economic structure as a whole. If in the United States we establish a system of educational financing that is just, such a system can become a model for distribution of educational benefits on a worldwide scale. This in turn can enlighten the way to a better distribution of the wealth of the world as a whole.

Really, then, this discussion is not aimed at saving our schools,

or saving Catholic schools, or saving religious schools. It is aimed at getting about the work of establishing a better social order. And what more advantageously situated people are there for getting on with the work than the Jesuits in the United States?

We can influence and organize strong minorities of people in almost every State of the Union. On a conservative estimate we are in daily contact on the secondary school level alone with some 30,000 students. Each student represents two more making a total of 90,000. This number says nothing about alumni and friends of people we influence directly. Again every Jesuit is in contact with a surprising number of affluent people of standing in the community. If every Jesuit in the secondary school apostolate were to convince himself and seek to convince those with whom he comes in contact with the rightness of the voucher system of educational financing, the force of public pressure would make legislators move in the direction of justice and equity.

Were we to make this effort we would not be alone. The organization known as the Citizens for Educational Freedom has the establishment of the voucher system as its ultimate goal.<sup>13</sup> It is a national organization of Jews, Catholics and non-Catholic denominations of many varieties who have an impressive record of getting legislation passed in New York, Pennsylvania, Ohio, Michigan, Wisconsin, Rhode Island. Their achievements so far have been limited to bus bills, auxiliary services bills and the like though they have succeeded in getting scholarship bills for higher education in Michigan, New York and Wisconsin. We can unite our efforts to theirs.

What, then, can we do concretely. I would recommend the following:

1. All Jesuits in the secondary schools should work towards getting laymen to work politically for this system.
2. One man in each school should devote himself full time to furthering an understanding of the voucher system among the faculty, the students, the parents and the alumni, and to helping the people in contact with the school to influence their State and federal legislators to foster the voucher system in legislation.
3. In every city in which we have a school business leaders should be made to see the value of the system for business itself and to organize themselves into a group of

---

<sup>13</sup> The national office of Citizens for Educational Freedom is located at 15th St. and New York Avenue N.W., Washington, D. C. 20005.

business men for educational freedom.

4. The Jesuits in the United States should give \$1,000,000 to the National CEF. This sum comes to approximately \$100,000 a Province. In most Provinces this would mean a donation of about \$10,000 per school. CEF is now working with only voluntary workers. What they do is done when and as they can find time to do it. CEF needs the capital to pay skilled lobbyists and public relations men to get the job done.

The recommendations will give some idea of how serious the task at hand is. It can only be hoped that we are up to it.



# Student Rights and Freedoms

## A Commentary on the Joint Statement

PATRICK H. RATTERMAN, S.J.

### *Historical Perspective*

In October, 1960, the Council of the American Association of University Professors authorized the formation of a standing Committee S to be titled, Committee on Faculty Responsibility for the Academic Freedom of Students. Committee S was commissioned to develop "positions and policies" with respect to student rights and freedoms which would be appropriate to colleges and universities in our American society. It is important to note that Committee S was an offshoot of AAUP's Committee A on Academic Freedom and Tenure for faculty. Hopefully, Committee S would develop a document with respect to student academic freedom which would complement AAUP's 1940 "Statement of Principles of Academic Freedom and Tenure." The wonder is that the task of formulating principles and policies with respect to student academic rights and freedoms on college and university campuses in the United States was so long delayed.

Through 1961-1963 AAUP's Committee S worked out its initial statement on student academic freedoms. The Autumn, 1964, issue of the AAUP Bulletin carried the first published draft with the following careful qualification:

The statement which follows has been prepared by the Association's Committee on Faculty Responsibility for Academic Freedom of Students. Since it has not yet been formally approved by the Association's Council, the statement is to be looked upon as tentative—an expression of the Committee's views rather than of Association policy.<sup>1</sup>

Comment was requested to assist in further revision. In October, 1965, the Chairman of Committee S, Dr. Philip Monypenny, reported to the AAUP Council that he had received many comments from administrative officers, faculty members, and students with respect to the first published draft of the statement. He presented a revised draft which the Council accepted "in principle" and

---

<sup>1</sup> AAUP Bulletin, "Statement on Faculty Responsibility for the Academic Freedom of Students," Autumn 1964, p. 254.



approved for publication in the Winter, 1965, issue of the Bulletin. This second published draft was introduced by the following comment:

The statement which follows has been approved by the Council in principle but remains a tentative, rather than a fixed, statement of Association policy. The Council has also authorized Committee S to initiate discussions with representatives of other interested national organizations in the hope that these efforts might result in the formulation of a joint statement on student rights and responsibilities. These discussions will commence this winter.<sup>2</sup>

Several informal meetings were held with representatives of other interested organizations through the spring of 1966. Committee S then proposed that a joint drafting committee meeting be held in November (1966). Four other national organizations, representing the conspectus of American academe, were each invited to send five delegates to the drafting meeting: the American Association of Colleges (AAC) representing college and university presidents; the National Association of Student Personnel Administrators (NASPA) and the National Association of Women Deans and Counselors (NAWDC) representing student personnel; and the USNSA representing students. Five other national educational associations sent observers to the meeting.<sup>3</sup>

While the November, 1966, meeting proved at the time a source of great discouragement to those who were interested in eventually producing a joint statement on the rights and freedoms of students, the outspoken character of the sessions probably proved the salvation of the project. The polarity of views was clearly exposed. It was apparent that if a joint statement was to be produced in the foreseeable future it would have to be based, where possible, on present compromise and allow for future development through evolving understandings. In the following spring (1967) lines of communication were kept open. Informal discussions followed. Eight months later, in June, 1967, it was possible for a committee consisting of one member from each of the five sponsoring national organizations to agree on a final draft of a "Joint Statement on the Rights and Freedoms of Students."<sup>4</sup> Each of the five

---

<sup>2</sup> AAUP Bulletin, "Statement on the Academic Freedom of Students," Winter, 1965, p. 447.

<sup>3</sup> American Council on Education, Association of American Universities, Association of Higher Education, Association of State Colleges and Universities, and the American College Association.

<sup>4</sup> Schwartz, Edward, *Joint Statement on the Academic Freedoms of Students, A Summary and An Analysis*, USNSA, July, 1967, p. 20.

delegates was then asked to propose the Joint Statement to his respective organization at its annual national conference for final endorsement.

The endorsements of the Joint Statement by the five sponsoring organizations provide not only interesting commentary on the compromise nature of the document but also material which is essential to its understanding and implementation on various campuses. USNSA was the first of the five organizations to hold a national meeting. In late August, Edward Schwartz, President of USNSA, proposed adoption at the National Student Congress. In his printed presentation Schwartz emphasized that the Joint Statement represented a "minimal document." "Institutional diversity," he stated, "is no justification for provisions affecting free inquiry and free expression."<sup>5</sup> The tenor of the USNSA endorsement is clear. Its approach to future clarifications, implementations and enforcements is indicated.

In late October, the AAUP Council endorsed the Joint Statement "unanimously and enthusiastically." In an accompanying resolution the AAUP Council expressed its views with respect to the non-academic character of the disruptive tactics presently all too familiar on American campuses.

In view of some recent events, the Council deems it important to state its conviction that action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institutions in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is destructive of the pursuit of learning in a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.<sup>6</sup>

The most interesting and perhaps the most crucial of the endorsements was that passed by AAC in its January (1968) national meeting. In November (1967) AAC President, Dr. Richard E. Sullivan, circulated to the entire membership a resolution approved by the Executive Committee which provided for immediate endorsement of the Joint Statement at the January meeting with nine "explicit understandings for clarification." Reactions to the resolution were immediate and strong. Objections were raised that endorsement of the Joint Statement "would foster a

---

<sup>5</sup> Schwartz, Edward, *Joint Statement* p. 6.

<sup>6</sup> The AAUP Council resolution, passed at October meeting, 1967, is not carried in the *AAUP Bulletin*.

sense of irresponsibility" since the Statement showed "little or no concern for administrative freedom and ultimate responsibility" and so "would reverse this long established method of administering institutional affairs." In December the AAC Resolutions Committee agreed to a substitute resolution with an alternative. The substitute resolution would have provided for official AAC endorsement after a year of observation. The alternate resolution made no provision for ultimate endorsement. At the AAC meeting in January considerable support for the original, November, resolution developed when the twenty-eight Presidents of the Jesuit colleges and universities unanimously endorsed the Joint Statement with two clarifications in an independent action, just previous to the AAC general meeting. The Jesuit endorsement was followed by that of the College and University Department Executive Committee of the National Catholic Educational Association. An amended form of the November AAC resolution, providing for immediate endorsement with ten clarifications, was ultimately passed by an overwhelming majority.

In early April both NASPA and NAWDC endorsed the Joint Statement at their annual national conferences. Both endorsements repeat many of the clarifications of the AAC endorsement. One special point in the NASPA endorsement provides an important insight for understanding and interpreting the documents. The Joint Statement is said to *define important principles* and to *describe possible practices*. The principles embodied in the document, the NASPA endorsement asserts should be implemented on all campuses. The particular means of implementing these principles, the practices mentioned in the Joint Statement, need not be followed precisely as described in the document but may vary from campus to campus. The distinction between principles, which are defined, and practices, which are described, is extremely important to an understanding and implementing of the Joint Statement.

### *Preamble*

The Joint Statement begins by listing four reasons for the existence of academic institutions: the transmission of knowledge, the pursuit of truth, the development of students, and the welfare of society. It speaks of academic institutions as communities of scholars. The expression is used some sixteen times in the document. Both terms in the expression are important. The community

aspect of a university is strongly emphasized in the AAC, NASPA and NAWDC endorsements explicitly to repudiate the radical student view that the student sector of the academic institution should be autonomous. By using the term scholars, the Statement expresses an appropriate limitation of freedom in the academic community. The freedom to learn of which the Joint Statement speaks applies to students primarily, if not exclusively, in the context of students developing the capacity for "a sustained and independent search for truth." Any freedom which would hinder the development of such a capacity is contrary to the ideals of an academic community.

The Joint Statement has been criticized because it does not outline the responsibilities of students in the community of scholars as it attempts explicitly to outline student rights and freedoms. There are several answers to this objection. First, generic reference is made to student responsibilities in the Preamble and elsewhere where responsibilities are imputed to *all* members of the community. But, more important, in delineating student rights and freedoms, corresponding responsibilities are implied. Every right and freedom involves a corresponding responsibility. The Joint Statement by no means urges that rights and freedoms of students be recognized without corresponding responsibilities being assumed. It might well be argued that by calling attention to the rights and freedoms of students, their responsibilities are being stressed.

### *I. Freedom of Access*

That each university should be free to determine academic and behavioral standards which are necessary and appropriate to its specific educational goal is clearly stated in this first section of the Joint Statement. It is only required that such expectations be published in official literature readily available to all incoming students.<sup>7</sup>

### *II. In the Classroom*

Section II of the Joint Statement, as Section I, enunciates only principles. Neither section proposes practices by which the given

---

<sup>7</sup> It is interesting to speculate how the principle enunciated in this section of the Joint Statement might be expanded to provide that education in the wide diversity of colleges and universities in the United States, private as well as public, should be made equally (financially) accessible to all students.



principles might be implemented on various campuses. One of the practices suggested by students for implementing the principles outlined in this section involves a change from present grading practices to the pass-fail system. The more radical student movements suggest the abolition of all student grades on the basis that objective academic evaluation is impossible and subjective evaluation is too likely to be unfair. The Joint Statement defends the right of institutions to evaluate students both with respect to ability and character. However, these evaluations are to be regarded as confidential and normally are not to be made known to anyone without the consent of the student. It is presumed that a healthy teacher-student relationship will incline a student, even in the classroom, to reveal a great deal of his inmost self. Teachers must regard such personal knowledge as highly confidential.

### III. *Student Records*

The pervasive concern of students today with respect to confidentiality and privacy perhaps reflects the fact that our age is on the verge of developing total electronic recall. Problems arising from this concern for confidentiality recur throughout the document (Sections II, III, IV A, and VI B 1). The American Council on Education has recently issued a "Statement on Confidentiality of Student Records" which perhaps better than anything else explains why this concern is so paramount in student minds today.

The maintenance of student records of all kinds, but especially those bearing on matters of belief and affiliation, inevitably creates a highly personal and confidential relationship. The mutual trust that this relationship implies is deeply involved in the educational process. Colleges acquire from students and other sources a great deal of private information about their enrollees for the basic purpose of facilitating their development as educated persons. This purpose is contravened when the material is made available to investigatory bodies without the student's permission. Thus, although a student may not require that his record be withdrawn, improperly altered or destroyed, he may appropriately expect his institution to release information about him only with his knowledge and consent.<sup>8</sup>

---

<sup>8</sup> *National Assoc. of Secondary School Principles Bulletin*, "Statement on Confidentiality of Student Records, October, 1967, p. vii.



The Joint Statement provides that transcripts of academic records should contain only information about academic status. However, both the AAC and NASPA endorsements insist that transcripts also show any institutional action, such as suspension and expulsion for academic or disciplinary reasons, which affects a student's eligibility to re-register at the institution. It is generally agreed that records pertaining to health, psychological counseling, and discipline, other than the notations on a transcript mentioned above, are highly confidential. Such records should never be revealed without a student's knowledge and consent and even then not without proper interpretation.

#### IV. *Student Affairs*

The most difficult principles of the Joint Statement to implement on campuses will undoubtedly be those contained in the section on Student Affairs. This section is divided into four parts, three of which are closely associated: A, student associations; B, speakers invited to campus; and D, student publications. These three topics deal directly and immediately with the freedoms of inquiry and expression, the main concern of the document. Part C discusses an equally important topic, student participation in institutional government.

A problem arises in that the Joint Statement appears to concede to students an autonomy in the areas of student associations, invited speakers, and student publications. Interpretations of the Statement can be argued pro and con. The matter is clarified in the AAC, NASPA, and NAWDC endorsements. The third clarification of the AAC endorsement reads as follows:

Inasmuch as "the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community," specific provisions of the Joint Statement, e.g., those for speakers, student organizations and student publications, should not be interpreted to concede absolute autonomy to the student sector when such provisions pertain to matters of proper concern to the academic community as a whole.

It should be noted that the clarification does not deny that students might be delegated an almost complete freedom in the areas concerned. The clarification specifies only that some matters in these areas could be "of proper concern to the community as a whole." In effect, the clarification reserves to the academic

community as a whole *ultimate* decisions with respect to campus associations, speakers and student publications, it being presumed in the context of the Statement that the community will allow such freedoms in these areas as are compatible with an honest understanding of the right to learn. Further, it is implied that the community as a whole must justify limitations of student freedom in these areas in terms of specific educational goals and of community standards which are essential to the achievement of its goals.

The Joint Statement strongly urges, as a practice not a principle, that university policies with respect to student affairs be carefully formulated in writing. This is as important for the community as it is for students. So many decisions in the area of student affairs must be made when "issues" arise, when emotions are high and when outside pressures are strong. Written policies, formulated when heads are cool and pressures non-existent, are more likely to reflect mature educational philosophy and, if well communicated, serve to protect whoever must make an unpopular decision in times of stress—and what decision is not unpopular in some quarter.

#### IV A. *Freedom of Association*

The precise freedom which "the community as a whole" should allow to students to form student organizations gives rise to some very difficult problems. Speakers come and go. Editions of student publications are ephemeral. Modern students are usually sophisticated enough to judge critically speakers and publications. However, campus organizations are permanent, continually recruiting membership, continually striving to influence campus policies and standards, and most important, continually working to implement their own specific goals in student life. Can an academic community as a whole approve a student organization which encourages acts that are diametrically opposed to ideals which the community feels are essential to its academic character? For example, is it conceivable that a student organization be allowed openly to solicit membership in a society which encourages the use of LSD and other dangerous drugs, if the community as a whole feels that the widespread use of such drugs would destroy its specific academic character? (Whether or not LSD is legal or illegal is quite beside the point.) If an academic community as a whole has the right to determine academic and behavioral stand-

ards which it considers necessary and appropriate to its educational goal, it would appear that it has a collateral right to deny official recognition to any student organization whose academic or behavioral practices cannot be reconciled with those standards.

This is not to deny that it is healthy in an academic community for even basic institutional values, commitments, and goals to be *intellectually* challenged. The educational institution must serve as its own critic, and somehow institutional criticism must be legitimized even where this involves the official recognition of campus student organizations. However, to challenge institutional values, commitments and goals intellectually is quite another thing from encouraging practices which do not academically challenge but by other means attempt to subvert institutional goals and standards.

Basically, the point at issue is the academic style or character of the academic institution. It might well be argued that a student organization which disrupts or circumvents the academic style or method of a university should be regarded as far more dangerous to the academic community than one which intellectually challenges university values, commitments and goals. In a community which maintains its true academic character, values, commitments and goals can only be clarified and strengthened by their being intellectually challenged.

Allowing for the distinction made by the NASPA endorsement between principles and practices in the Joint Statement, the various details outlined under the consideration of student organizations could be implemented on campuses in a variety of ways. Domination by non-students is to be avoided in campus organizations. Paternalistic control by the institution through "trusted" moderators is likewise to be avoided. Where membership lists are not kept—and what institution can manage to keep membership lists up to date anyway—they cannot be demanded by governmental or other outside agencies. A student's organizational affiliations are to be regarded as something personal, not a matter for public record.

#### IV B. *Freedom of Inquiry and Expression*

The right of individual students or of student organizations to express views by protests and demonstrations is to be respected. However, both the AAC and NASPA endorsements clarify the matter by insisting that non-interference with the

“regular and essential operation of the institution” refers to *all* educational activities and practices outside as well as within the classroom. This is certainly intended to include all practices and activities associated with the operation of the institution—residence halls, book stores, food services, etc.—since the operation of the entire university complex is intended to provide an educational living experience for all facets of student life.

Once again the concern of the academic community for academic style or character is manifested in the endorsements. Four of the five sponsoring organizations explicitly condemn any type of protest or demonstration which disrupts the free expression of ideas. The AAUP resolution, already quoted, is most explicit on this point. A typical rule on demonstrations, such as can be reconciled with the principles of the Joint Statement, might read as follows:

Campus demonstrations are permitted provided they are conducted in an orderly manner and do not interfere with vehicular or pedestrian traffic, classes or other university activities and functions, and are not held within university buildings.<sup>9</sup>

The Joint Statement does not require that any student be allowed to invite any speaker to campus at any time. The principle involved is freedom of inquiry. Almost all institutions allow speakers to be invited to campus only by officially-recognized student organizations. On most campuses there is no restriction whatsoever if speakers are invited to meet only with members of a particular student organization. A distinction is made on some campuses between student organizations inviting speakers to address members of the university community at a closed session and speakers invited to speak at meetings which are open to the public. In either case a particular speaker (or program) may be a “proper concern for the community as a whole” if community standards (necessary and appropriate for established educational goals) are at issue. The principle of “clear and present danger” can at times provide a further concern. It would be most irresponsible for an academic community to allow a student organization to invite a speaker to campus at a time when he might himself commit or indirectly induce violence in the larger society.

It is reasonably to be expected, particularly on campuses where students have long been protected from ideas which are considered

---

<sup>9</sup> Xavier University policy on demonstrations adapted from Stanford University statement.



contrary to the ideals of American society, that students will seek to invite controversial speakers to campus as a challenge to traditional campus norms and sometimes simply to test the intellectual sincerity of administration and faculty. Freedom of inquiry is the principle at issue. Faculty and administration should keep in mind that controversial speakers invited under such circumstances while satisfying a legitimate student interest and curiosity, normally exert little influence on student views. On the other hand, controversial speakers can have a very beneficial effect by focusing, and at times polarizing, campus discussion and argument. It should be kept in mind that students today hear and see controversial speakers regularly on TV. They are generally far more familiar with controversial ideas and have usually developed a far more mature sophistication in forming critical judgments than faculty and administration realize. A balanced program providing for controversial speakers can serve to make education relevant on a campus if the ideas presented are discussed later in curricular and co-curricular programs. Students today reasonably insist that they should not be protected from ideas. Where they are not protected they are quite anxious to discuss their reactions even, and perhaps especially, with "people over thirty."

#### IV C. *Student Participation in Institutional Government*

It is one of the basic principles of the Joint Statement that students should be involved in institutional government. The principle is enunciated in the Preamble: policies and procedures should be developed at each institution within the framework of general standards *and with the broadest possible participation of members of the academic community*. In this section of the document the principle is specified: The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs. It is further indicated that the role of student government should be made explicit in both its general and specific responsibilities.

The AAC and NASPA endorsements clarify the principle of student participation in institutional government in the following words:

The participation of the student body "in the formulation and application of institutional policy affecting aca-



demic and student affairs" (Section IV, C) and "significant student participation" in the formulation of "standards of conduct" (Section VI, A) may involve a variety of activities, under methods appropriate to each campus, ranging from student discussion of proposed policy in committees, in organized agencies of student government, or through the student press to the more formal determination of policy by groups that include student members or, where and if delegated by appropriate authority, by groups that are composed only of students.

The AAC and NASPA position can by no means be understood to water down the Joint Statement principle. The intent is merely to specify, as practices, the variety of means by which students may represent their views in matters which are "a proper concern of the community as a whole." It is presumed that the wider the concern, and therefore the involvement, of students in community affairs, the better.

In advocating student participation in institutional government, the Joint Statement once again expressly repudiates the radical student view that the student sector of the university community should be autonomous. This radical student view is sometimes expressed by students insisting that they have no responsibility to abide by any university rules which they themselves (unilaterally) have not made. The Joint Statement provides only that there should be "significant student participation" (VI A) in the determination of standards of student conduct. On the other hand, the Statement does not deny the possibility that the community as a whole may wisely delegate to students far-reaching authority to regulate their own affairs in certain defined areas.

Universities today are obviously faced with serious problems in matters of institutional government. Student (and faculty) power is a reality. University administration charts and legal documents may show that the ultimate decision-making power rests completely and exclusively with the trustees, president, and other top administrative officers. However, the charts and legal documents may well serve only to certify what is increasingly referred to as "the illusion of final authority." Decisions are never made in a vacuum, as any university president will testify. Pressures by the public, alumni, parents, and fund sources, on the one hand, have to be reconciled with pressures from the academic community on the other. Moreover, a vocal minority in any group frequently presents views with a finality that is out

of all proportion to the true sentiment of the group it claims to represent. All of these forces must be realistically balanced against the ideals of a true university in the decision-making process. Ultimate authority does, indeed, and must remain with the trustees and president. However, the realities of the situation are such that the trustees and president are well advised to exercise their authority through effective delegation and personally only after extensive consultation.

University government today requires a variety of skills not the least of which is a clear concept of the relationship between the student ideal expressed as the right to learn and the educational goals of a particular institution. While the student right to learn and institutional goals are not incompatible, their reconciliation will at times be a source of serious tension, especially in matters which are "a proper concern of the community as a whole." Student participation in institutional government serves to resolve these tensions by exposing students to the complexities involved in the decision-making process. Moreover, students bring to the process a peculiar competence which administration and faculty ignore at their own peril. Sometimes student insight expresses itself through a greater competence to ask penetrating questions than to provide ready answers. Penetrating student questions will often expose unfounded presumptions upon which poor decisions might otherwise have been made.

The following practices are suggested as means of implementing on various compuses the principle that students should participate in institutional government. First, *subsidiarity* must be observed. Effective authority must be delegated as completely as responsibility for the overall educational enterprise will allow. This means that a conscious effort must be made to see that individuals and groups, as far removed from the trustees and president as possible, are educated to making responsible university decisions. Where such a capacity does not exist on the student level, serious educational deficiencies are apparent.

Second, while strict nose-count democracy is not a reasonable form of university government, *democratic methods* do make sense in the academic community if the various university sectors are represented by respected members and the decision-making body is proportioned to the competence necessary for particular decisions. An academic community rightly insists that

all sides to a question be adequately heard and represented to the final decision-making authority.

Third, the decision-making process, on whatever level, should always be *visible*. Members of an academic community (including faculty and fellow administrators) want to know, and have a right to know, precisely who—what individual or what committee—makes final decisions on particular issues.

Fourth, *time* is important. Decisions which are delayed interminably give the impression that those responsible for making the decision hope the problem can be pigeonholed or the issue forgotten. That important decisions should not be rushed is understandable, provided it is apparent that the delay is necessary for serious investigation and study. Tensions caused by delay can be greatly alleviated if the results of such investigation and study are reported regularly.

Fifth, *reasons* must be given with final decisions. Such a practice accords with the very nature of an academic community. By explaining decisions the decision-making process can be turned to educational advantage. Campus issues should provide a valuable circumstance by which students can be educated to the relation between particular decisions and community-respected goals.

Sixth, an absolute and irrevocable *finality should be avoided*, as far as possible, in making decisions. Rule and policy declarations which are declared to hold for all future times lead to needless later embarrassment or, because of a reluctance to rescind such decisions, to a continuation of rules and policies which have become antiquated and meaningless in contexts that were never anticipated. Firm decisions can be made “for the present” or “for the foreseeable future”, leaving the way open for future discussion, developments, and possible well-advised changes.

Last, utter and absolute *honesty* must characterize every aspect of the decision-making process. There is no greater frustration in any community than the feeling that those responsible for making final decisions are not being forthright either during the investigatory process or in the reasons they provide for the decision they make.

#### IV D. Student Publications

In this particular section the Joint Statement appears ambiguous. First, it recommends that student publications be financially and legally independent of institutional control. Then, realizing that

such a situation is not likely to be implemented on a vast majority of campuses, the Statement recommends practices that will provide the freedom which the Statement considers essential to student expression. At the same time the Statement provides for a measure of ultimate, institutional control. Within a framework of written, clearly specified standards, the student staff is to be delegated complete freedom of expression. Moreover, the editor and staff are to be protected from arbitrary removal or censure. Although student publications are not to be precensored, prepublication leadership and guidance by a faculty advisor as well as post-publication review and critique would not be contrary to the principles of the Joint Statement as long as such practices did not interfere with editorial freedom.

The specter is frequently raised of a university, as publisher, being sued for libel for injudicious statements by student editors. The Statement appears to treat this matter with an almost cavalier attitude. Actually, although such legal action remains in the realm of the possible, the likelihood of an offended party being successful in such a suit is not very great where precensorship is explicitly and formally renounced. Law with respect to libel actions increasingly favors freedom of the press. Moreover, the practice of not precensoring student publications is so widespread and educationally defensible that there is little likelihood that any court will hold a university negligent if it does not precensor student publications.

The Joint Statement does not take up the difficult problems related to the designation of student editors. Campus publications can lose their freedom if editors and staff are allowed to perpetuate themselves and their views. Since student publications are of such vital concern to the academic community as a whole, perhaps the best way to handle the appointment of new editors is through a publications board which represents all segments of the university community.

## *V. Off-Campus Freedom of Students*

According to more radical student views, student conduct off campus—indeed, outside the classroom—is not a legitimate concern of the university. The Joint Statement makes no declaration in this matter. However, a number of important court decisions substantiate the position that the conduct of students off campus is not only a matter of legitimate university concern but can be



a matter of considerable university responsibility.

This section of the Joint Statement is concerned with something quite different. At issue is the right of students while off campus to exercise their civil rights without being in jeopardy of university disciplinary action. The principle is asserted that such student acts, even acts of civil disobedience, are not in themselves a legitimate university concern. In such cases the university should neither punish students nor interfere with their having to suffer the full civil consequences of their conduct. The Statement reacts to the situation which prevailed in many, particularly southern, schools where students were peremptorily dismissed or otherwise punished for exercising their civil rights as citizens by taking part in civil rights demonstrations off campus.

Another basic consideration proposed by the Joint Statement is that the university ordinarily should not act as an arm or agent of civil law enforcement agencies, especially by reinforcing civil penalties with university censures when the civil offense has no relation to university standards as an academic community. Again, neither should students be protected from the full effects of civil censure for their offenses against civil society. With the understanding that a particular student act might at times be the legitimate, but separate, concern of both the civil and university communities, it is considered best that the two jurisdictions be kept clearly distinct. In general, the university should concern itself with student civil law violations, on or off campus, only when

such conduct calls into question the student's membership in the educational community either because he has grossly violated elemental standards of behavior requisite to the maintenance of an educational community or because his continued presence would adversely affect the ability of others to pursue their educational goal.<sup>10</sup>

## VI. *Procedural Standards in Disciplinary Proceedings*

The Joint Statement has been strongly criticized for the excessive legalism of the practices, not principles, it outlines for "procedural due process in cases requiring a high degree of formality." University officers responsible for campus disciplinary procedures fear that the practices recommended by the Statement establish an adversary relationship between the institution and its students which precludes mutual confidence and trust. Many

---

<sup>10</sup> "Sindler Commission Report," *The Cornell Daily Sun*, Wednesday, October 4, 1967.



university officers suspect that the authors of the Joint Statement are unaware that a majority of disciplinary cases, even those which initially might appear to merit suspension or dismissal, are terminated in the dean's office with effective educational guidance.

The AAC and NASPA endorsements react strongly to the detailed prescriptions of the Joint Statement.

A committee for joint interpretation should accept as one of its primary responsibilities an exploration for alternative procedures which, while assuring "fair play" and making adequate provision for "procedural due process," would be more appropriate to an academic community (Dixon vs. Alabama Board of Education) and more adaptable to educational goals by encouraging a relationship of mutual respect and trust especially in cases where "misconduct may result in serious penalties."

The basic principle involved in this whole matter is "fair play" in *all* disciplinary proceedings. The requirements of "fair play" as presently required by the courts are outlined in the third introductory paragraph of this section. Some of the prescriptions incorporated under Hearing Committee Procedures go beyond present court requirements.

The practice of allowing a student to have the assistance and guidance of an adviser during formal university disciplinary proceedings is widespread today. It is important, therefore, to call attention to the fact that the word "adviser" is used in the Joint Statement (VI D 3) rather than the word "counsel" which had been suggested. The word "adviser," it was felt, explains better the practice of most schools which, in order to assure an academic character in campus disciplinary hearings, requires that the adviser be a member (in some places a tenured faculty member) of the academic community.

A final word might be said about university rules. In what detail need behavioral expectations be spelled out in student rules? Two extremes are to be avoided. Vague statements which do not provide definite norms and which can be arbitrarily interpreted are obviously unacceptable. On the other hand, precise and detailed lists of student offenses with penalties specified for each violation are not required. A reasonable explanation of behavioral expectations, as specified by the Joint Statement, is all that is necessary.

## CONCLUSION

The objection has been raised that the Joint Statement is already out of date. It is argued that the Statement presupposes conditions of education which are a thing of the past—a stable academic community with its own respected academic style providing freedoms which are appropriate to its traditional character. It is felt that these conditions, drawn from an ivory tower concept of university life, simply will not prevail in the days ahead and that the principles of the Joint Statement will have little application to such circumstances as seem likely to develop.

In the years ahead, particularly on large, highly impersonal campuses, it is reasonable to anticipate that student ambitions will not be satisfied by students being provided minority representation on university policy formation committees. Increasing frustrations will be felt by students as they perceive their ineffectiveness directly to influence university decision-making processes. Tensions will build to the breaking point as students perceive that power, exercised in a variety of extra legal forms, brings the results that cooperation within the established academic style could never achieve. The Joint Statement makes no provision for such an eventuality. It is, therefore, said by some to be outdated.

The endorsements of the Joint Statement cannot be interpreted as a diversionary or delaying tactic to forestall such developments. If for a period the pendulum swings to and fro in response to power actions and reactions by various campus groupings, perhaps the function of the Joint Statement will be to provide norms which are felt to be academically sound and which ultimately should prevail. Moreover, the Joint Statement makes no claim to speak the final word on student rights and freedoms. The Statement is intended to be a living document subject to further understandings and clarifications. Perhaps the swinging of the pendulum for a time will be necessary to discover these understandings on campuses where future developments cannot be fully anticipated.

In its basic thrust the Joint Statement presumes one particular educational development as inevitable. Due to the extensive social revolution the world is experiencing the Statement anticipates that students, manifesting an increasing impatience with the traditional objectives of American education, will insist on assum-

ing an ever-increasing responsibility for their own self-development. Foreseeing this trend, the Joint Statement asserts quite strongly that the academic community as a whole cannot abdicate its own share of responsibility for the development of students. Well aware of the tensions that are certain to arise on campuses as a result of this shared responsibility the Joint Statement attempts to provide fundamental principles according to which these tensions can be resolved with academic integrity.

# **Santa Clara and the Jesuit Educational Apostolate**

JOHN R. McCALL, S.J.

The Santa Clara conference—held August 6 to August 19th at the beautiful campus of the University of Santa Clara—was under the able direction of Father Robert Henle, S.J. It was a year in preparation with a planning committee of ten men. I was privileged to be on that committee. The participants included the eleven Jesuit Fathers Provincial of the United States, the American Assistant from Rome, Father Harold Small, S.J., eleven Jesuit scholastics chosen by their peers, and 48 Jesuit priests selected by the planning committee and approved by the provincials. Every section of the country was equitably represented as was the most diverse cross section of experience and age. The youngest, a scholastic, was only 23 years of age; the eldest was 62; most of the others ranged from ten years under to ten years over 45. The participants were largely men with considerable contact with scholastics both academically and spiritually. This was appropriate for a conference titled, “On the Total Development of the Jesuit Priest.”

How does this conference have any bearing on the JEA? Our educational apostolate in the future will be shaped and formed by the men who are now studying in the Society. What are these young men like? Our educational apostolate will be directed very soon by these young men and the type of education they receive in the Society will determine their ideas on the type of educational institutions we will man in the future. Whatever changes are brought about in the training of our men will sooner or later filter into the schools and colleges we run.

Most of you, I am sure, have seen if not read the five volumes of proceedings from the Santa Clara conference. Shortly after the conference, Father McNaspy wrote an article for “America” which caught the spirit of the proceedings extremely well. Now the same genial Father McNaspy has published a paperback book; “Change, Not Changes” which I think is “must” reading for all of us. It summarizes, clarifies, makes vivid the whole of the Santa Clara conference. With all this information available I do not see

my task tonight as one of summarizing the results of the Santa Clara conference. Rather I would like to focus on the young men—the scholastics at the conference. What did they want as far as their own education was concerned?

Among the background papers for the conference there is a brief one prepared by the eleven scholastics. Since in many cases they were chosen too late to collaborate on the presentation papers prepared by the task forces, the scholastics prepared a paper (Background Paper 5) entitled "Scholastics Statement on the Attitudes, Ideals, and Expectations of Younger Jesuits." After listing many needs and concerns they say: "Implicit in the preceding account of needs and concerns are certain values which younger Jesuits as a group tend to regard as central to their own lives. The younger generation has, of course, no monopoly on these ideals: they are shared by many of their elders, and are embodied, implicitly or explicitly, in the creative reforms of the Second Vatican Council. Yet taken together these values define an outlook, a stance toward the world, which seems especially typical of the young Catholic of today, layman or religious. Some of these values which young Jesuits hold in special esteem are the following:

- 1) Intellectual and spiritual honesty; the desire to test what one has been taught in actual experience, and the courage to abandon ideas and traditions which, though venerable, do not meet this test.
- 2) A demand for relevance, which seeks to discover a perceivable relationship between learning and life, between spirituality and the apostolate, between one's professional career and one's priesthood or one's religious commitment.
- 3) A general concern for growth and development, involving a positive attitude toward change which sees it as an opportunity for further growth; the opposite of a defensive desire to preserve the past at all costs.
- 4) A recognition of the primacy of the person and of personal values, especially freedom; a respect for the integrity and worth of the individual, which protests against any attempt to subjugate him blindly to an impersonal "system."
- 5) A community-oriented, goal-centered, dynamic spirit and spirituality, which finds Christ chiefly in working for and with others.
- 6) The desire and expectation that what a person does in



prayer, study or apostolic work, be experienced as somehow "meaningful" and not merely performed out of fidelity to an abstractly conceived "duty"; the acceptance, therefore, of experience as at least a partial criterion of the value of one's acts.

This background paper was prophetic. The conference actually did address itself to all these areas and, I believe, came up with suggestions for the development of our men which embody these values. Suppose we take these one by one. From the directions the conference took on these areas, you might be able to project the effects on our educational apostolate in the future.

### 1. *Experimentation*

The Santa Clara conference went along with the idea of experimentation—shortening the course from 15 to about 10 years, moving all scholastics to college campuses, academic specialization beginning from the start of a man's training. Now, when the scholastic's specialty becomes the integrating factor of his humanistic formation and classics and philosophy will no longer be the necessary humanistic core, what will happen to "Jesuit" education in our high schools and colleges? It looks as if in this academic experiment theology will of necessity become the co-star with whatever specialty the man has. What courses will he offer later in our high schools and colleges—Theology and Literature, Sociology and Religion, History of Religions, etc.

Implicitly Santa Clara said there is no special Jesuit education, only education carried on by Jesuits. What makes them Jesuits is not any formal course of studies but their living together and passing on and creating traditions. What does that mean to our educational apostolate?

The conference goes on to say that the tradition of the Society is a contingent thing which must necessarily prove itself by its consonance with the Spirit-directed experience of Jesuits at any given time of the Church's life, and by its consonance with their understanding of Scripture. The traditions of the Society should change as they grow.

The plea that is made by our young men is not necessarily that we close our schools but rather that we experiment with our Jesuit educational apostolate. They are not opposed to the educational apostolate. Most of them agree that it should be given top priority; but many are not satisfied that we are doing as well

as we could or should in that apostolate. They want us to experiment. However, experiment is not just haphazard, it should follow the scientific lines—pretest, hypotheses, experiment with controls, retest, then replicate. Do I hear the young men saying that one of the strongest arguments for continuing our educational apostolate is our freedom to experiment and take the lead in some areas of American education, such as the education of the disadvantaged, education aimed at the critical problems of urban America, adult education, catechetics, ecumenics, theological reflections on current issues, etc.?

## *2. Relevance*

In an effort to make the education of our own men more relevant, the conference agreed that, although there was no distinctive Jesuit education, all of our men, each in his own way, should be led to the point where he could give a certain type of leadership along the lines of religious thinking. One of the scholastics said, "It seems to me that when you think about what is going to happen in this country along the lines of the Ecumenical movement, the greater leisure the American people are going to have, and the religious concerns that seem to come with this leisure, more and more people are going to be interested in religious questions." What are some of the things suggested to make our education of Jesuits more relevant? Longer and deeper theological study, more ecumenics, more expertise with mass media, more emphasis on social services, more work with adults, more international outlook, more concern for changing structure in society, better apostolic field work experience, etc.

If the relevance looked for in the training of our own young men is going to involve flexibility of program, variety of educational experiences, deep theological reflexion on the social questions of the day, what will that mean in our high school and college apostolates tomorrow? What will it mean in the teaching of theology at both the high school and college levels?

## *3. Change and Growth*

"The human race has passed from a rather static conception of reality to a more dynamic, evolutionary one." This radical statement comes, not from some underground subversive, but, surprising as it may appear to many, from the Constitution on the Church in the Modern World of Vatican II. The Council goes on

to say that we are in a new stage of history in which we can already speak of a true social and cultural transformation, one which has repercussions on man's religious life as well. At Santa Clara, Fathers Cooke, MacRae, and Wall gave us the beginning of a theology of change. We don't have time to go into it here but it is of tremendous significance both for the education of our own and for our educational apostolate. Speaking of the freedom of man and the activity of God in the life of man, Father Cooke tells us that man is coming to a different relationship to the cosmos in which he finds himself situated. No longer expending most of his energy trying to preserve himself in the midst of destructive elements that surround him, he can now with the scientific and technological breakthroughs make the world what he wants it to be. As we move from a static structured way of understanding things where we were able to frame things in terms of laws, laws of nature, the law of man which is the natural law—a "ratio studiorum," and an "ordo regionalis," we are moving much more toward a "process" approach. As Father Wall says, "The Spirit touches each of us personally, as He reaches us through the Church both hierarchical and charismatic, as He is at work in the whole world of men—then the ultimate norm of what we should do is the self revelation of God in Christ, given through the Spirit, as we can discern it in any present "now." We are moving away from the blueprint idea of the will of God—even the adjustable blueprint idea of it. We see now that human decision-making is really the process of determining the will of God. This is what God is doing. He is sustaining creatively this decision-making process by which human beings, with several options before them—and in many cases options which are relatively neutral, any one of which might be a good choice—are shaping this world. Human decisions are the cutting edge of what you might call the will of God. We human beings are meant to shape the development of human history and the development of the evolution, even of the cosmos itself, from this point onward. What does this mean as far as our educational apostolate goes? Educate to change, for change, by change. Are we doing this? "Keep the Faith, Baby" now reads "forge and shape the Faith."

Of course this startlingly new emphasis in our study of theology has deep ramifications in the academic, spiritual, social and psychological training of our young men. What does it mean for our educational apostolate? Much of American education is still oper-

ating in the old static concepts—witness the rigidity of programming by men with rigid doctorates; six years for the doctorate, meaningless requirements at all levels, too much form for form's sake. Why, the young ask us, can't the JEA take two giant steps and break out of this mold to lead the way in some areas of American Education. We can shape and form our institutions and our process of education—we do not have to be shaped by them.

Some examples of change: Wednesday afternoon the Jesuit high school boy goes to work with his father; Saturday morning his father comes to school with him. Of course the joint three-year high school three-year college can work. Jesuits can continue education with the family. Is there any other way? Most of the energy of our high school and college students is dissipated in the search for an identity. Why should they have to go to India to learn to meditate? A group of men dedicated to creating values can help them more than anyone else. Our schools can collaborate with the parishes and vice versa. Supervised work in the inner city at both high school and college level can and should be academically respectable if it leads to theological reflection. We are ready for team teaching. We have the best motivation for listening to the students. What the students at Berkeley were rebelling for, Vatican II is telling us to give them—the dignity of the human person, freedom, an example of Christian Love. Our high schools and colleges should be prime agencies of the Church Charismatic, not just subsidiaries of the Church Hierarchic.

#### 4. *Primacy of the Person*

Our young Jesuits have been brought up in a personalistic world. They are *person oriented* as we older Jesuits are *task oriented*. They are more concerned with the man who is the Jesuit priest. We were more concerned with the Jesuit priest who is a man. The young man says, "The Jesuit before he becomes a Jesuit and throughout his Jesuit priestly life is first and foremost a unique individual and social being. His Jesuit priestly vocation specifies the central adult role of his life, but it is only one of the countless other roles which he has played and continues to play. The individual person precedes the role. It is the person who is attracted to the role, and it is the person who plays the role. The man who is a Jesuit priest is, therefore, first and fore-



most an individual personality and a person. On these qualities his Jesuit priesthood is superimposed and through these it is expressed." The young Jesuit is a personalist—he wants a personalistic type of education. He is worried constantly about being and becoming a person. He is so afraid that the role of Jesuit will be laid on him so heavily it will obliterate his personality.

Nine out of ten of the young Jesuits who say they don't want to teach, mean by that statement, they don't want to teach if teaching depersonalizes men. They point with fear and trembling at some of the Jesuits in our high schools and colleges who having taught for some years now seem desiccated, disenchanted, and dyspeptic.

It has always been true, even when we did not advert to it, that one's manhood underlays and conditions his Jesuit priestly role. But today, the young Jesuits force us to advert to it. Why? Because in periods of great institutional crisis and change, these human variables take on primary significance. With the Church, the State, and the Society in flux, change, and indecisiveness, it is the man who is the Jesuit Priest who is called upon to react to the stimuli of change and to so adapt his role that it is functionally effective in terms of the goals of the Society and the Church and also a source of personal gratification. The young Jesuits can and do pick out the Jesuits who have and have not been able to react to the stimuli of change and adapt their role. The young Jesuit is afraid (and wisely so) that if he doesn't develop his own personality and identity, he too may become fixed and rigid and be unable to react to the stimuli of change and adapt his role to the further changes that will inevitably come.

The Santa Clara conference made many recommendations aimed at encouraging rather than hindering personality development during the period of training. From novitiate to tertianship emphasis was laid on developing the persons unique identity. The conference warned that it is temptingly easy and gratifying to try to mold younger persons into the images of one's own predilections by exercising superior status and authority. However, the effect on character is to arrest the development of good judgment and interfere with the growth of an authentic person. We should realize that we have not the custody of men's talents but the care of them and that our task is not to command but to coordinate their growth. What we hope will develop is no mere copy or replica of us, but a true person able to make mature



Christian judgments for which he himself will be willing to stand responsible.

This type of formation or development allows for considerable diversity. Not all are called to follow the same path, even within the same religious seminary. Once a person is judged apt for membership, the group ideals should be adapted as much as possible to him, rather than have the individual be forced into a rigid mold or procrustean pattern. The young person should not be allowed to set up a plainly hopeless ideal, which will lead to frustration as he meets failure. Rather his ideal should be one of himself at his best. For Christ's call went to him, not another, much less to some abstraction.

I know this sounds almost hopelessly idealistic; but it is already being implemented with some success in many of our houses of formation. Not a few of the older fathers may feel that the Society is already sliding down the greased shoot. This personalistic stance is for them the last straw. But since students who are personalists aren't reachable in the same way they were in the past, our scholastics want to be trained in such a way that they can relate with today's youth.

I leave it to you to figure out how these young Jesuits trained in this personalistic manner are going to view our impersonal universities and gigantic high schools. It is going to be harder and harder to get them to take an administrator's job. They want the I-Thou relationship. They are not polemic or didactic by temperament. They want close personal relations with the students, love, not power. Counseling and guidance are chosen most often as their desired specialty. If I seem to mock the young here, I don't mean to. All I mean to point out is that the shape of our schools tomorrow is being determined by the formation of our young men today. Is this bad? No, it is good. Our young men have the wave length of the students we are trying so desperately to reach.

What changes are coming in the Jesuit educational apostolate? I see our young men opting for smaller living units, closer personal relations with students and lay faculty, less regimentation, more counseling and seminar work, less lecturing, looser course requirements, more variety of program, more working with the students in research projects, more team teaching, more going out with the students into the civic community for field education,

more emphasis on the social apostolate using the school as a base, more ecumenical work, more adult education.

### 5. *Community*

Man is in need of the community to become himself; this personalistic understanding is quite different from the old-fashioned "individualism", for man becomes more truly himself through communion with others. You may remember when we were talking about the distinctiveness of Jesuit education, we said the Santa Clara conference could find nothing distinctively Jesuit in any particular set of course contents or systems of education. What made it Jesuit education was the fact that it was given by Jesuits. What made the men Jesuit was that they lived together and shared, preserved, and adapted traditions in community.

It was Father Jim Albertson who spoke up at two crucial periods to emphasize this idea of community which is very close to the hearts of the young Jesuits. He said, "Jesuits become Jesuits not through their course of studies but through their association with one another in the community." What makes a Jesuit who teaches in a University different from a Dominican who does the same? The Jesuit becomes a Jesuit as he interrelates with other Jesuits in the community over the years. The deep personal relationships which they establish, the communication which goes on, the oral tradition, you might say, of the Society. These are the crucial elements. The value of community living is not simply that it allows young people to engage in some dialogue, but it should allow the older traditions to be transmitted and adapted when necessary. We need the older men in the Society to engage in this dialogue with the younger men and to keep a continuity of tradition.

There is a certain ambiguity in the use of the word "community" says Father MacRae. We can talk about community meaning our particular house, or the novitiate community, and yet the concept of community in terms of the Church is really a relationship among persons and Christ, which produces a kind of series of concentric circles of ever broadening compass. It is the very dynamism within the Christian community that causes it to be related to broader and broader concepts within that community. The presence of Christ is most fully realized in the world in the fullest and broadest of Christian Communities. "It seems," continues Father MacRae, "that the point of identification of

Christian community at any one of these levels is the point of its identification with Christ's presence in the world. We talk about the modes of the manifestation of Christ in the world, the modes of this revelation to us now. I think that the one thing, from a New Testament point of view, that unifies these modes is that Christ is present in the community. The Christian community is the presence of Christ. Christ's presence in the world is Christian community as a dynamic concept that broadens itself constantly from the cell unit, whatever that may be, to a wider and wider dimension."

What does this mean as far as our educational apostolate is concerned? It would seem to me that it points to what might at first seem like two different directions. First, the young Jesuits are begging to live in smaller communities. This will demand separate incorporation as far as our communities and institutions are concerned. The young feel it is impossible to have real prime community living with excessively large numbers of persons. They are speaking of deeper personal relationships. Please God some of the older Jesuits will join with them in such experiments; otherwise we will miss out on so much of our grand traditions.

In what seems like the opposite direction the young Jesuits say that our prime Jesuit community should strengthen us in love so that we can go out to form other communities. As Father Albertson says, "One of the things a person achieves in community life, if it is authentic community life, is the ability to create other communities. He takes on not only the desire to create other communities, but in the process of living in a community, he takes on those qualities which help him to form other communities or which helps to rub off the sharp edges which will diminish his ability to form other communities. The community really creates the power of creating other communities—a series of interlocking circles, all of which are unified in a way in this Jesuit community in which we participate." So if I read the signs correctly, our educational apostolate will be benefited greatly if we can learn again to live real community lives with deep interpersonal relationships and sincere sharing. This will produce again the type of leaders that have been so conspicuous in the Society in the past. Gone will be the concept of a Jesuit residence as a bastion to keep away the students, lay faculty, and the other people of God. Though only a few Jesuits are official leaders, all Jesuits should be occasional leaders, creating and

sharing in wider and wider communities,—academic, pastoral, civic, and social. Every Jesuit should be a leader in the sense of a catalyst of community.

### 6. *Discernment of Spirits*

Finally what the young Jesuits asked for in their background paper was that what they do as far as work and prayer is concerned should be meaningful and not merely performed out of fidelity to an abstractly conceived “duty”; the acceptance, therefore, of experience as at least a partial criterion of the value of one’s acts. How did the Santa Clara conference respond to this request of the young Jesuits? Besides all the things we’ve already noted I would say that the insistence on the discernment of spirits which became the theme of the Santa Clara conference is the best answer to this particular request for making experience a criterion of the value of one’s acts.

One of the things that has always characterized the Jesuits has been their flare for responding to the individual as individual, and this is a strong characteristic of the discernment of spirits. Ignatius developed this discernment both as an art and as a science. He proposed this first of all as an art for the director in the Exercises but it was quickly passed on to the individual exercitant so that he would become adept in this art in his own reflections at the time of his choice, his election, and that this would become his way of acting. Essentially the purpose of discernment was to place the individual person in an on-going contact with the Way, the Truth and the Life, avoiding deceptions and finding peace in the union that is Love. Fundamental is an Ignatian principle—all men are not to be directed along the same path—one who does this does not know how rich and varied are the gifts of the Holy Spirit.

How does this apply to the Jesuit educational apostolate? Each school and community, each province, the Assistancy, the whole Society must listen to the Spirit. Spiritual discernment, whether applied by a director or carried on by the individual himself, is ongoing. Therefore, we must continually, as individuals, and in academic groups in the Society, listen to the Spirit as He speaks to us. Sometimes through our students, sometimes through the Hierarchic Church, at other times through the Charismatic Church, sometimes through Arthur D. Little, sometimes through the First National Bank, sometimes through our alumni, sometimes



through our creditors, sometimes our alumni, sometimes through our creditors, sometimes through our young Jesuits, sometimes through our older Jesuits, and often through Jesuits like you and me from the passover generation.

What is the Spirit saying about our educational apostolate? We are in a critical stage—we have a critical shortage of men, money, relevant goals. We need not close any school but we must phase out of some. We must not isolate ourselves from the general educational needs of the areas we are serving. We must cooperate with others. We must re-evaluate and present to the United States three or four great Jesuit universities where the Church will do its thinking. Our high schools, too, must move out of the middle up to academic excellence, down to salvage leaders from the ghetto. Will the young Jesuits of today be able to take on these great responsibilities? I surely hope so—no one else is getting ready.







JUL 1969

WESBY

BOSTON COLLEGE



3 9031 033 36162 7

